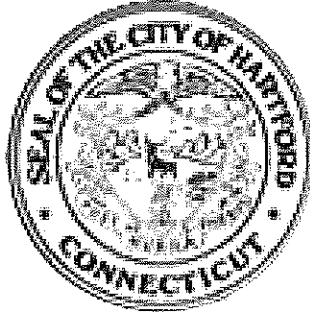
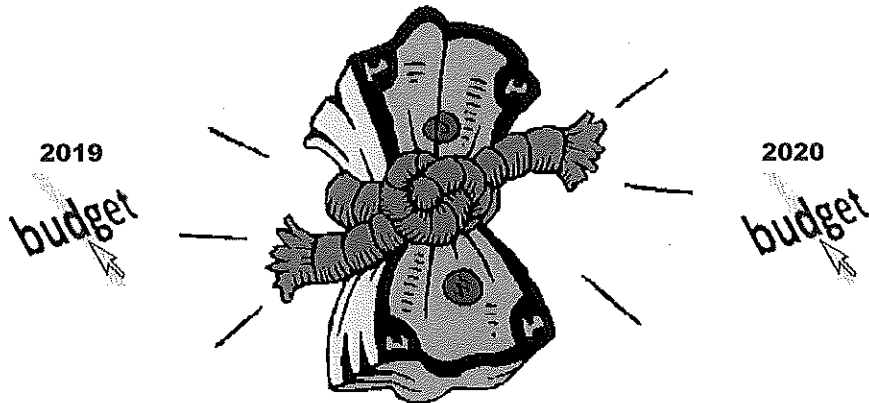


# COURT OF COMMON COUNCIL



## AGENDA MEETING MAY 28, 2019

7:00 P.M.



CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103

**AGENDA**  
**MEETING OF THE COURT OF COMMON COUNCIL**  
**May 28, 2019**

**ACTION TAKEN**

**BUDGET FOR 2017-2018**

1. MAYOR BRONIN, concerning the Adoption of the 2019-2020 Amended Budget, with accompanying resolutions and ordinances.

**COMMUNICATIONS**

2. MAYOR BRONIN, with accompanying resolution request to enter into Executive Session in order to discuss the potential settlement of any and all claims arising out of the employment of Brian Ives.
3. MAYOR BRONIN, with accompanying resolution authorizing the submission of a list of community programs eligible for the 2019 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program, which is administered by the Connecticut Department of Revenue Services (DRS),  
**SPECIAL HEARING DATE - Monday, June 3, 2019**
4. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, Communication requesting to discharge a resolution authorizing the City to accept an Urban Act Grant from the State of Connecticut Department of Economic and Community Development to implement a citywide sidewalk repair and improvement project.
5. COMMITTEE OF THE WHOLE, Communication requesting to discharge a resolution regarding the adoption of the City of Hartford Capital Gateway Transit-Oriented Development Concept Plan.

**REPORTS**

6. PLANNING, ECONOMIC DEVELOPMENT AND HOUSING COMMITTEE, with accompanying resolution authorizing the City of Hartford to enter into a development agreement and ground lease with RMS Companies ("RMS") for the development of 1212 Main Street, Hartford ("Parcel C"), with an option to develop other parcels located in the Downtown North development.
7. LEGISLATIVE AFFAIRS COMMITTEE, with accompanying resolution confirming the appointment of Leslie Paguada to the Hartford Board of Education. If confirmed, Ms. Paguada would serve the remainder of term vacated by Mr. Richard Wareing.

**FOR ACTION**

8. Substitute ordinance amending Chapter 2A - Pensions, Section 2A-5 and creating New Sections 2A-45, 2A-46 and 2A-47 of the Hartford Municipal Code.
9. Ordinance amending Chapter Two, Article VIII Section 2-850 Residency Requirements of the Municipal Code.
10. Ordinance amending Chapter 2, Article VI, Division 4, Section 2-352 concerning compensation for nonunion and unclassified executive service classification of the Hartford Municipal Code.
11. Ordinance amending Chapter 29, Article I, to add Section 29-18 relating to the Use of Unmanned Aerial Vehicles by the Hartford Police Department, of the Municipal Code.
12. Ordinance amending Chapter 2, Article II of the Municipal Code of the City of Hartford be amended, adding Section 2-48 and Section 2-49.
13. Ordinance amending Chapter 2, Article XXIII, Section 2-938 Drones of the Municipal Code.
14. Resolution with accompanying report concerning the approval of the regulations governing the use of unmanned aerial vehicles by the Hartford Police Department in accordance with the processes recommended by this resolution.
15. Ordinance amending Sections 22-25 and 22-26 of the Municipal Code, which address parking violation citations and the fines and penalties for unlawful parking.

16. Substitute resolution approving and authorizing the submission of the City of Hartford's Year Five Annual Action Plan (FY 2019-20) for use of Federal Entitlement Grant Funds administered by the U.S. Department of Housing and Urban Development (HUD) and proposed allocation of funds in Year Five of the plan.
17. An Ordinance enacting Article VII of Chapter 17 ("Environmental Stewardship – Plastic Bags") of the Municipal Code of Hartford.
18. Ordinance amending Chapter 2, Article IV, Division 4, Section 2-352 of the Hartford Municipal Code establishing the annual salary for the City Treasurer.
19. Ordinance amending Chapter VI, Section 2-350 of the Hartford Municipal Code.
20. Resolution regarding the adoption of the City of Hartford Capital Gateway Transit-Oriented Development Concept Plan.
21. Resolution that would authorize the City to accept a \$5,000,000 Urban Act Grant from the State of Connecticut Department of Economic and Community Development to implement a citywide sidewalk repair and improvement project.

**PROPOSED ORDINANCES**

22. (MAYOR BRONIN) An ordinance amending Chapter 24, Chapter 30, and Chapter 18 of the Municipal Code of Hartford to create the Housing Code.

**HEARING DATE - Monday, June 17, 2019**

**RESOLUTIONS**

23. (MINORITY LEADER BERMUDEZ) (COUNCIL PRESIDENT THAMES) (COUNCILWOMAN FOX) (COUNCILWOMAN WINCH) (COUNCILWOMAN ROSADO) (COUNCILMAN CLARKE II) (COUNCILMAN DEUTSCH) (ASSISTANT MAJORITY LEADER GALE) Resolution supporting the creation of a Pilot Program using Providence's "A Hand Up" model, which would allow for a Hartford based community service agency/agencies to offer day-labor to Hartford's re-entry and homeless population for beautification of our city and that it be in alignment with the administrations priorities.
24. (MINORITY LEADER BERMUDEZ) (COUNCILWOMAN FOX) (COUNCILMAN DEUTSCH) Resolution requesting that the City of Hartford actively work to fill at minimum, two vacancies for Housing Inspectors within the Development Services Department and to urgently activate the Housing Commission and Housing Task Force.
25. (MAJORITY LEADER SANCHEZ) Resolution requesting Materials Innovation and Recycling Authority to restores the annual host fee of \$4 million dollars' payable to the City of Hartford, commencing July 1, 2019.
26. (MAJORITY LEADER SANCHEZ) Resolution encouraging the Hartford Public School to allocate a portion of the surplus amount (\$2.5 million dollars) on funding for Sports and Arts throughout the Public-School system.
27. (MAJORITY LEADER SANCHEZ) Resolution requesting that Materials Innovation and Recycling Authority shall credit the Hartford Department of Public Works the cost for the average per ton transportation cost for Municipal Solid Waste delivered to the MIRA Hartford South Meadows facility as applied to all Municipal Solid Waste delivered there from within the City of Hartford commencing July 1, 2019.
28. (COUNCILMAN CLARKE II) (MINORITY LEADER BERMUDEZ) (MAJORITY LEADER SANCHEZ) Resolution requesting the Department of Health and Human Services to perform a Social Determinant of Health impact study to determine which neighborhoods have been heavily impacted and provide the results of the study and a list of the of the departments recommendations 60 days of the conclusion of the study.
29. (COUNCILMAN CLARKE II) (MINORITY LEADER BERMUDEZ) (MAJORITY LEADER SANCHEZ) Resolution requesting the Hartford Police, Fire Departments and Board of Education to work with The Mayor's Office and The Court of Common Council to convene a working group to explore opportunities to create a City of Hartford Public Safety Academy for Hartford Public School students and city residents.
30. (COUNCILMAN CLARKE II) (MINORITY LEADER BERMUDEZ) (MAJORITY LEADER SANCHEZ) Resolution requesting the Department of Human Resources along with The Department of Families, Children, Youth and Recreation shall work to develop a Leadership Development Training Institute for City of Hartford employees and Community Based Organizations.

31. (COUNCILMAN CLARKE II) (MINORITY LEADER BERMUDEZ) (MAJORITY LEADER SANCHEZ) Resolution requesting the Department of Human Resources shall conduct a cost – benefit analysis to determine the true cost of the High Deductible Health Plan savings to The City of Hartford and employees.
32. (COUNCILMAN CLARKE II) (MINORITY LEADER BERMUDEZ) (MAJORITY LEADER SANCHEZ) Resolution requesting the creation a 13-member Ad Hoc Committee on Revenue and Economic & Community Development for the purpose of providing The Council, Mayor and City Treasurer recommendations on how to grow the city's grand list and how to increase support to our small businesses and their infrastructure.
33. (COUNCILMAN DEUTSCH) Resolution rejecting further substitutions and continuations of HDHP/HSA plans rather than traditional health plans until thorough analysis and comparisons as above have been performed and accepted as policy by City Council.
34. (COUNCILMAN DEUTSCH) Resolution urging legislators in the State Assembly to consider and support prompt legislation for unimpeded Sentence Modification Hearing through amendment to a related justice reform bill at this time (during this session), or as one proposal for any coming Special Session, or as early introduction for next Session.
35. (MAJORITY LEADER SANCHEZ) Resolution requesting that the State Delegation with the City of Hartford work collaboratively on passing a bill, where Major non-profits organization such as MDC any non -profit hospitals such as Saint Francis Healthcare Partners, Bushnell, etc., pay 20% of its real estate assessed property to the City of Hartford.

**Attest:**

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



**Luke A. Bronin**  
Mayor

May 17, 2019

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

TOWN & CITY CLERK  
HARTFORD  
2019 MAY 17 PM 4:00  
*John Bronin*

**RE: FY2020 Budget**

Dear Council President Thames and Members of the Court of Common Council,

Please find attached the amended budget for Fiscal Year 2020 with the revised Appropriations Ordinance by department, which implements the City of Hartford's General Fund Budget for Fiscal Year 2020. I have received and reviewed the Financial Resolutions adopted by the Council on May 15, 2019 transmitted to me by the Town and City Clerk's Office on May 16, 2019. Pursuant to Chapter X, Section 5(c) and Chapter IV, Section 7(c) of the Hartford City Charter, I hereby accept the Financial Resolutions approved by Council. With the Financial Resolutions adopted by the Council, there is no net change to the Fiscal Year 2020 budget.

With the modifications noted above, the Appropriations Ordinance authorizes a total General Fund expenditure appropriation of \$573,280,741 with a tax levy of 45 mills for motor vehicles and 74.29 mills for remaining property types.

Sincerely,

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

Luke A. Bronin  
Mayor

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

**SUBSTITUTE**

**GENERAL FUND APPROPRIATION ORDINANCE FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2019**

Introduced by: Mayor Luke A. Bronin

THE COURT OF COMMON COUNCIL  
CITY OF HARTFORD

May 28, 2019

**BE IT ORDAINED BY THE COURT OF COMMON COUNCIL OF THE CITY OF  
HARTFORD:**

Section 1. The following appropriations for Fiscal Year beginning July 1, 2019 are hereby made in the General Fund:

<b>General Government:</b>		<u>Appropriation</u>
Mayor's Office		802,661
Court of Common Council		510,147
City Treasurer		470,860
Registrars of Voters	[460,367]	470,367
Corporation Counsel		1,551,808
Town and City Clerk		800,095
Internal Audit		513,779
Office of Chief Operating Officer		818,222
Metro Hartford Innovation Services		3,193,214
Finance	[3,736,675]	3,803,175
Human Resources		1,257,176
Office of Management and Budget		1,187,960
Families, Children, Youth & Recreation	[3,397,296]	3,407,296
<b>Total General Government</b>	<b>[18,700,260]</b>	<b><u>18,786,760</u></b>
<b>Public Safety:</b>		
Fire	[34,335,229]	34,285,229
Police	[46,867,694]	46,627,694
Emergency Services and Telecommunications		3,799,883
<b>Total Public Safety</b>	<b>[85,002,806]</b>	<b><u>84,712,806</u></b>
<b>Infrastructure</b>		
Public Works	[15,375,312]	15,595,312
<b>Development Services</b>		
Development Services		4,020,079
<b>Health and Human Services</b>		
Health and Human Services	[5,120,219]	5,063,719

<b>Benefits and Insurances</b>		
Benefits and Insurances		94,148,565
<b>Debt Service and Other Capital</b>		
Debt Service and Other Capital	[16,260,036]	16,310,036
<b>Non-Operating Department Expenditures:</b>		
Non-Operating Department Expenditures	[42,468,873]	42,428,873
<b>Municipal Total</b>	<b>[281,096,150]</b>	<b><u>281,066,150</u></b>
<b>Total Education</b>		<b>284,013,274</b>
<b>Hartford Public Library Total</b>	<b>[8,171,317]</b>	<b>8,201,317</b>
<b>General Fund Total</b>	<b>[573,280,741]</b>	<b><u><u>573,280,741</u></u></b>

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Leigh A. Ralls, Director of Finance

ATTEST

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Luke A. Bronin  
Mayor

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John V. Bazzano  
Town and City Clerk

Introduced  
by:

Luke A. Bronin, Mayor

SUBSTITUTE

HEADING  
AND  
PURPOSE

AN ORDINANCE MAKING GENERAL FUND APPROPRIATIONS FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF VARIOUS PUBLIC IMPROVEMENTS AND EQUIPMENT AGGREGATING \$24,503,825.

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD  
May 28,2019

**BE IT ORDAINED BY THE COURT OF COMMON COUNCIL OF THE CITY OF HARTFORD:**

**Section 1.** The sum of \$24,503,825 is hereby appropriated by the City of Hartford, Connecticut (the "City") in the General Fund for the planning, design, acquisition and construction of the various public improvements and equipment hereinafter listed (as more fully described in the narrative description of such improvements and equipment in the City of Hartford CIP Project Commentary dated April 23, 2019), including legal, administrative and related costs (the "Projects"), said appropriation to be inclusive of any and all Federal and State grants-in-aid:

PUBLIC SAFETY:

Citywide Mobile and Portable Radio Replacement Project	\$2,154,095
Computer Automated Dispatch System	1,020,000

PUBLIC WORKS:

Fuel Oil Tanks	133,131
Milling and Paving	3,031,135
Municipal Facilities Renovation	1,656,656
Neighborhood Environmental Improvements	713,838
Sidewalk Replacement	125,401
Streetlight Poles and Fixtures	340,447
Metzner Renovation	350,000

DEVELOPMENT:

175 Mather (DECD Grant)	655,280
Demolition	508,475
275 Pearl Street	68,833
Sigourney/Homestead Remediation (DECD Grant)	2,074,034
Bartholomew Avenue Streetscape: Phase II	692,500
Bicycle and Pedestrian Safety Improvements	400,000
Main Street North, Streetscape	180,000
South Branch Park River Multi-Use Trail	400,000
Parkette Corner of Albany Ave. and Magnolia St.	150,000
Hartford Decides	50,000



EDUCATIONAL FACILITIES:

Roof Replacement: Facilities	800,000
Weaver High School	9,000,000
<b>TOTAL</b>	
	\$24,503,825

**Section 2.** The estimated useful life of the Projects is not less than twenty years. The total estimated cost of the Projects is \$24,503,825. The cost of the Projects is expected to be defrayed from State and Federal grants.

**Section 3.** The balance of any appropriation not needed to meet the cost of any Project authorized hereby may be transferred by resolution of the Common Council to meet the actual cost of any other capital project of the City (including Projects authorized hereby and capital projects authorized by prior or future capital ordinances) for which an appropriation has been adopted; provided that the aggregate amount of the appropriation authorized pursuant to such transfer shall not be increased.

**Section 4.** The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete a Project authorized herein and the financing thereof.

**Section 5.** The Mayor and City Treasurer, in the name of the City, are hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary, (b) make, execute and deliver all such additional and supplemental documents, (c) appoint any other consultants or professionals as required and (d) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this ordinance.

**Section 6.** The Mayor is authorized in the name and on behalf of the City to apply for and accept any and all Federal and State grants-in-aid for any of the Projects and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the City with engineers, contractors and others.

**SUBSTITUTE**

**TAX LEVY ORDINANCE**

Introduced by: Mayor Luke A. Bronin

**AN ORDINANCE CONCERNING THE TAX LEVY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019**

**COURT OF COMMON COUNCIL  
CITY OF HARTFORD  
April 15, 2019**

**BE IT ORDAINED BY THE COURT OF COMMON COUNCIL OF THE CITY OF HARTFORD THAT:**

On the City October 1, 2018 Grand List, there be and is hereby granted a tax of seventy-four with 0.29 of a mill (74.29) mills on the dollar to be levied upon the ratable estate within the City of Hartford of the inhabitants of said City and all others liable to pay taxes therein, including all estates situated or taxable within the territory added to the limits of the City by any Acts or Resolutions of the General Assembly heretofore passed, except that pursuant to Section 12-71e of the Connecticut General Statutes for the assessment year commencing October 1, 2018, is hereby granted a tax of forty-five mills on the dollar to be levied upon motor vehicles within the City of Hartford. In addition, there shall be and is hereby granted a tax of 2 with 0.4 of a mill (2.4) mills on the dollar to be levied upon the ratable estate within the Columbia Street Special Services District; a tax of 3 with 0.5 of a mill (3.5) mills on the ratable estate within the Park Street Special Services District; and a tax of 1 with 0.3115 of a mill (1.3115) mills on the ratable estate within the Hartford Business Improvement District, also known as the Hartford Special Services District. Said taxes shall become due on July first, two thousand nineteen (July 1, 2019) and payable on said date in whole or in equal semi-annual installments from that date, namely: July first, two thousand nineteen (July 1, 2019) and January first, two thousand twenty (January 1, 2020), except as otherwise provided in Section 32-18 Tax Relief for the Elderly of the Municipal Code, and except that any tax not in excess of one hundred dollars shall be due and payable in full on the first day of July, two thousand nineteen (July 1, 2019). If any installment of such tax shall not be paid on or before the first day of the month next succeeding that in which it shall be due and payable, the whole or such part of such installment as is unpaid shall thereupon be delinquent and shall be subject to the addition of interest at the rate and in the manner provided for in the General Statutes of the State of Connecticut. The total amount of any such tax may be paid at the time when the first installment thereof shall be payable.

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Leigh Ann Ralls, Director of Finance

**ATTEST:**

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**Luke A. Bronin  
Mayor**

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**John V. Bazzano  
Town & City Clerk**

**INTRODUCED BY:**

**Court of Common Council  
City of Hartford May 15, 2019**

Mayor Luke A. Bronin	
Council President Glendowlyn L.H. Thames	X
Majority Leader James Sanchez	X
Assistant Majority Leader John Q. Gale	X
Minority Leader Wildaliz Bermúdez	X
Councilman Thomas J. Clarke II	X
Councilman Larry Deutsch	
Councilwoman Claudine Fox	X
Councilwoman Maly Rosado	X
Councilwoman rJo Winch	X

**FINANCIAL RESOLUTION DEMS # 1**

**RESOLVED, COUNCIL FINANCIAL RESOLUTION #1**

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$220,000 for The Department of Public Works, of which \$100,000 shall be for a Graffiti Removal program and \$120,000 shall be for seasonal employment as needed; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$20,000 in Sundry, which shall be for increased public access by broadcast and online services of City Council Committee meetings; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$66,500 for the Finance Department which shall be for the addition of one employee for the tax collector's office; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$10,000 for the Registrar of Voters Office; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$10,000 for the Department of Children, Families and Recreation; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$50,000 in the Capital Improvements Pay-As-You-Go budget which shall be for the Hartford Decides Program; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an INCREASE of \$30,000 in the Library budget which shall be for the assisting Hartford's immigrant community with the census process; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect a DECREASE of \$56,500 in the Health and Human Services Department budget reflecting a decrease in the budget for Relocation benefits; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect a DECREASE of \$50,000 from the Fire Department reflecting a decrease in the Suppression Special Event overtime budget; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect a DECREASE of \$240,000 in the Police Department budget reflecting a decrease of \$190,000 in the Police Academy budget and \$50,000 in the Support Services budget; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect a DECREASE of \$10,000 from the Sundry budget; and be it further

**RESOLVED**, That the Mayor's Recommended Budget for Fiscal Year 2019-2020 be amended to reflect a DECREASE of \$50,000 in the Non-Operational Department budget reflecting a decrease in the Contingency budget.

COUNCIL MEMBERS	YEA	NAY	ABST	ABSENT	RECUSED
BERMÚDEZ					
CLARKE II					
DEUTSCH					
FOX					
GALE					
ROSADO					
SÁNCHEZ					
THAMES					
WINCH					

YEAS \_\_\_\_\_ PASS \_\_\_\_\_

NAYS \_\_\_\_\_ FAILED \_\_\_\_\_

ABSTAINING \_\_\_\_\_

ABSENT \_\_\_\_\_

RECUSED \_\_\_\_\_

INTRODUCED BY:

Court of Common Council  
City of Hartford May 15, 2019

Mayor Luke A. Bronin	
Council President Glendowlyn L.H. Thames	
Majority Leader James Sanchez	
Assistant Majority Leader John Q. Gale	
Minority Leader Wildaliz Bermúdez	X
Councilman Thomas J. Clarke II	
Councilman Larry Deutsch	X
Councilwoman Claudine Fox	X
Councilwoman Maly Rosado	
Councilwoman rJo Winch	X

**WFP FINANCIAL RESOLUTION # 2**

**RESOLVED**, That the Mayor’s Recommended Budget for Fiscal Year 2019-2020 be amended to reflect an allocation of \$30,000 from Health and Human Services-Relocation (588300) to be dedicated for the assistance of immigrant families residing in Hartford facing deportation.

Council Members	YEA	NAY	Abst	Absent
THAMES				
SÁNCHEZ				
GALE				
BERMÚDEZ				
CLARKE II				
DEUTSCH				
FOX				
ROSADO				
WINCH				

YEAS \_\_\_\_\_ PASS \_\_\_\_\_  
 NAYS \_\_\_\_\_ FAILED \_\_\_\_\_  
 ABSTAINING \_\_\_\_\_  
 ABSENT \_\_\_\_\_

INTRODUCED BY:

Court of Common Council  
City of Hartford May 15, 2019

Mayor Luke A. Bronin	
Council President Glendowlyn L.H. Thames	
Majority Leader James Sanchez	
Assistant Majority Leader John Q. Gale	
Minority Leader Wildaliz Bermúdez	X
Councilman Thomas J. Clarke II	
Councilman Larry Deutsch	X
Councilwoman Claudine Fox	X
Councilwoman Maly Rosado	
Councilwoman rJo Winch	

**WFP NON- FINANCIAL RESOLUTION # 3**

**RESOLVED**, That the Court of Common Council encourages the Department of Development Services to coordinate efforts for pedestrian and bike Capital Improvement Projects with Transport Academy’s pedestrian and biking audits.

Council Members	YEA	NAY	Abst	Absent
<b>THAMES</b>				
<b>SÁNCHEZ</b>				
<b>GALE</b>				
<b>BERMÚDEZ</b>				
<b>CLARKE II</b>				
<b>DEUTSCH</b>				
<b>FOX</b>				
<b>ROSADO</b>				
<b>WINCH</b>				

YEAS \_\_\_\_\_ PASS \_\_\_\_\_  
 NAYS \_\_\_\_\_ FAILED \_\_\_\_\_  
 ABSTAINING \_\_\_\_\_  
 ABSENT \_\_\_\_\_

INTRODUCED BY:

Court of Common Council  
City of Hartford May 15, 2019

Mayor Luke A. Bronin	
Council President Glendowlyn L.H. Thames	
Majority Leader James Sanchez	
Assistant Majority Leader John Q. Gale	
Minority Leader Wildaliz Bermúdez	X
Councilman Thomas J. Clarke II	
Councilman Larry Deutsch	X
Councilwoman Claudine Fox	X
Councilwoman Maly Rosado	
Councilwoman rJo Winch	X

**WFP NON- FINANCIAL RESOLUTION WFP # 2**

**RESOLVED**, That the court of Common Council encourages the Department of Development Services to conduct an analysis on the Certificate of Occupancy to increase collections and meet the needs of tenants.

Council Members	YEA	NAY	Abst	Absent
THAMES				
SÁNCHEZ				
GALE				
BERMÚDEZ				
CLARKE II				
DEUTSCH				
FOX				
ROSADO				
WINCH				

YEAS \_\_\_\_\_ PASS \_\_\_\_\_

NAYS \_\_\_\_\_ FAILED \_\_\_\_\_

ABSTAINING \_\_\_\_\_

ABSENT \_\_\_\_\_

INTRODUCED BY:

Court of Common Council  
City of Hartford May 15, 2019

Mayor Luke A. Bronin	
Council President Glendowlyn L.H. Thames	
Majority Leader James Sanchez	
Assistant Majority Leader John Q. Gale	
Minority Leader Wildaliz Bermúdez	X
Councilman Thomas J. Clarke II	
Councilman Larry Deutsch	X
Councilwoman Claudine Fox	X
Councilwoman Maly Rosado	
Councilwoman rJo Winch	X

**WFP NON-FINANCIAL RESOLUTION WFP # 1**

**RESOLVED**, That the Human Resources Department establish an exit interview process for employees upon receipt of their two week leave notice from their current position with the City of Hartford. The exit interview process shall be used as a tool to help create a better analysis of work department culture, in an effort to foster a better work environment for all.

Council Members	YEA	NAY	Abst	Absent
THAMES				
SÁNCHEZ				
GALE				
BERMÚDEZ				
CLARKE II				
DEUTSCH				
FOX				
ROSADO				
WINCH				

YEAS \_\_\_\_\_ PASS \_\_\_\_\_  
 NAYS \_\_\_\_\_ FAILED \_\_\_\_\_  
 ABSTAINING \_\_\_\_\_  
 ABSENT \_\_\_\_\_





ITEM # 2 ON AGENDA

Luke A. Bronin  
Mayor

May 28, 2019

Honorable Glendowlyn Thames, Council President  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Executive Session**

Dear Council President Thames:

I would like to request that the Council enter into Executive Session during the Council meeting on Tuesday, May 28, 2019. A brief session is necessary in order to discuss the potential settlement of any and all claims arising out of the employment of Brian Ives.

Thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "Luke A. Bronin", written in a cursive style.

Luke A. Bronin  
Mayor

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

**INTRODUCED BY:**  
Luke Bronin, Mayor

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

**RESOLVED**, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of any and all claims by Brian Ives arising out of his employment with the City of Hartford for \$81,142.69.



ITEM # 3 ON AGENDA

**Luke A. Bronin**  
Mayor

May 28, 2019

Honorable Glendowlyn Thames, Council President  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Neighborhood Assistance Act**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the submission of a list of community programs eligible for the 2019 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program, which is administered by the Connecticut Department of Revenue Services (DRS),

The NAA Tax Credit Program is designed to provide funding for tax exempt organizations by providing a corporation business tax credit to businesses that make cash contributions to these entities. Businesses can receive a credit of 100% for contributions to certain energy conservation programs and a credit of 60% of their contributions to other programs as approved by DRS.

The City of Hartford serves as a liaison to DRS for the NAA program and is responsible for the collection and submittal of NAA proposals to DRS. In addition, DRS requires that the governing body of each municipality approve the submission of the proposed NAA community programs to DRS. In 2018, 65 Hartford proposals were approved under the NAA, 31 of which received business investment totaling \$1,263,960.31

The list of 67 eligible 2019 NAA proposals, all of which were submitted by Hartford-based organizations, is attached. A binder containing a copy of each proposal has been delivered to the Court of Common Council Office for review. We respectfully request that the Council take action on the attached resolution no later than June 10, 2019, as the City must submit the NAA proposals to DRS by June 30. Thank you for your consideration

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

**INTRODUCED BY:**  
Luke Bronin, Mayor

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

**WHEREAS,** The Connecticut Neighborhood Assistance Act (NAA) is a tax credit program of the Department of Revenue Services (DRS) under Chapter 228a of the Connecticut General Statutes (C.G.S., 12-631 - 12-638), and

**WHEREAS,** A tax credit equal to 100% of the cash invested is available to business firms that invest in energy conservation projects, and

**WHEREAS,** A tax credit equal to 60% of the cash invested is available to business firms that contribute cash to programs that provide community-based alcoholism prevention or treatment, neighborhood assistance, job training, education, community services, crime prevention, construction or rehabilitation of dwelling units for families of low and moderate income, funding for open space acquisitions, child day care facilities and services, and any other program which serves persons at least 75% of whom are at an income level not exceeding 150% of the poverty level for the preceding year, and

**WHEREAS,** In 2018, sixty-five (65) approved proposals from Hartford were delivered to DRS under the NAA, 31 of which received business investment totaling \$ 1,263,960.31, and

**WHEREAS,** The City of Hartford serves as a liaison to DRS for this program and is responsible for the collection of NAA proposals and submittal to DRS by June 30, 2019, and

**WHEREAS,** Sixty-seven (67) proposals for the 2019 NAA Program have been collected from Hartford applicants, as follows:

	<b>AGENCY/ORGANIZATION</b>	<b>PROGRAM/PROJECT</b>	<b>REQUEST</b>
1	ActUp Theater, Inc.	ActUp Performing Arts Program	100,000.00
2	Ancient Burying Ground Association	Ancient Burying Ground Lighting and Main Street	150,000.00
3	Antiquarian & Landmarks Society (The), DBA Connecticut Landmarks (CTL)	Green Lighting at the Butler-McCook House	30,000.00
4	Blue Hills Civic Association, Inc.	Blue Hills Employment and Skills Training	150,000.00
5	Boys & Girls Clubs of Hartford	Academic Success Initiative	100,000.00
6	Bushnell Park Foundation, Inc.	Bushnell Park Pump House Energy Efficient Upgrades	150,000.00
7	Capital Community College Foundation, Inc.	Capital Community College (CCC) Early Childhood Center	50,000.00
8	Capital Workforce Partners	Education and Employment Collaborative	150,000.00
9	Catholic Charities, Inc./ Archdiocese of Hartford	Developmental Disabilities Services Program	150,000.00
10	Catholic Charities/Catholic Family Services	Second Step Program	150,000.00

11	Center for Children's Advocacy	Advocacy for Vulnerable Children and Youth	10,000.00
12	Center for Latino Progress	Energy Efficient Alternative Transportation	15,000.00
13	Charter Oak Cultural Center	Beat of the Street	150,000.00
14	Charter Oak Temple Restoration Association, Inc. / DBA Charter Oak Cultural Center	Charter Oak Cultural Youth Arts Institute	50,000.00
15	Charter Oak Temple Restoration Association, Inc. / DBA Charter Oak Cultural Center	Charter Oak Cultural Center Mechanical Systems Upgrade	100,000.00
16	Chrysalis Center, Inc.	Phelps Village Energy Conservation Program	150,000.00
17	City of Hartford	Climate Stewardship Initiative	150,000.00
18	Community Renewal Team, Inc.	Crisis Housing for the Homeless Youth	150,000.00
19	Community Renewal Team, Inc.	Vocational English as a Second Language	150,000.00
20	Connecticut Forum (The)	Connecticut Forum & Youth Forum (The)	150,000.00
21	Connecticut Immigrant and Refugee Coalition	Job Training and ESL for Immigrants and Refugees	150,000.00
22	Connecticut Institute for the Blind, DBA Oak Hill	Oak Hill - New England Assistive Technology	150,000.00
23	Connecticut Public Broadcasting, Inc. (Connecticut Public)	Energy Efficient Lighting Improvements	70,000.00
24	Connecticut Science Center, Inc.	Photo Voltaic Solar Power System	150,000.00
25	Covenant Preparatory School	Equitable Quality Education for Middle School Boys in the Hartford Region	150,000.00
26	Easter Seals Connecticut, Inc.	Easterseals Camp Hemlocks	50,000.00
27	Girl Scouts of Connecticut	Girl Scout Leadership Experience	100,000.00
28	Glory Chapel International	Road to Success	150,000.00
29	Greater Hartford Chamber of Commerce Foundation	Street Light Efficiency Project	150,000.00
30	Hands on Hartford, Inc.	Powerhouse Apartments	48,421.00
31	Harriet Beecher Stowe Center	Carriage House/Visitor Center HVAC Upgrades	25,000.00
32	Hartford Area Habitat for Humanity	2019 Hartford Habitat - Energy Conservation Program	150,000.00
33	Hartford Artisans Weaving Center	Roof Renovation and Lighting Energy Updates	143,002.72
34	Hartford Business Improvement District	Solarize Downtown Bus Shelters	75,000.00
35	Hartford Business Improvement District	Main Street Lighting	75,000.00

36	Hartford Knights Youth Organization, Inc.	KNIGHTS for ENERGY for YOUTH Program (KEY)	150,000.00
37	Hartford Knights Youth Organization, Inc.	Therapeutic Mentoring for At-Risk Youth	150,000.00
38	Hartford NAF Foundation, Inc.	Early College Experience Project	150,000.00
39	Hartford Performs	Hartford Performs	150,000.00
40	Hartford Public Library	College Now!	150,000.00
41	Hartford Symphony Orchestra, Inc.	Music Education in Hartford Schools	150,000.00
42	Hartford's Camp Courant	2019 Camp Courant Youth Development Program	150,000.00
43	Horace Bushnell Congregate Homes (HBCH)	HBCH Healthy Living Meal Program	150,000.00
44	Horace Bushnell Congregate Homes	HBCH Energy Saver	150,000.00
45	Horace Bushnell Memorial Hall Corporation	Bushnell Energy Conservation Projects	150,000.00
46	Intercommunity, Inc.	Recovery House Improvement Initiative	150,000.00
47	International Hartford LTD.	Immigrant Enterprise Support	30,000.00
48	IQuilt Partnership	Bushnell Park, Pump House	150,000.00
49	KNOX, Inc.	Trees for Hartford Neighborhoods	150,000.00
50	Mark Twain House & Museum (The)	Mark Twain House & Museum Lighting & Appliance Upgrade Project	150,000.00
51	Northside Institutions Neighborhood Alliance, Inc. (NAA)	2019 Hartford Heritage Homes	150,000.00
52	Open Hearth Association (The)	Energy Improvements for Emergency Homeless Shelter for Men	40,000.00
53	Organized Parents Make a Difference, Inc.	OPMAD After School	150,000.00
54	PARTNERS Foundation, Inc.	PARTNERS (Partners in Arts and Education Revitalizing Schools)	150,000.00
55	Phillips Metropolitan Christian Methodist Episcopal (CME) Church	Phillips Energy Conservation and Public Safety Project	150,000.00
56	Preventive Medicine Center, Inc.	ACCESS: Education/Outreach Program	150,000.00
57	Riverfront Recapture, Inc.	Boathouse Air Conditioning System Upgrade	82,500.00
58	San Juan Center, Inc.	Rehabilitation and Façade Improvement	86,000.00
59	San Juan Elderly Housing, Inc.	Passive Recreational Spaces	25,000.00
60	Sheldon Oak Central, Inc.	Energy Conservation Improvements in North End	103,500.00
61	Sons of Thunder Coalition, Inc.	Sons of Energy	150,000.00

62	Sons of Thunder Coalition, Inc.	Sons of Thunder: Self-Empowerment Programs	150,000.00
63	Southside Institutions Neighborhood Alliance, Inc. (SINA)	Cityscape Homes	150,000.00
64	Urban League of Greater Hartford	Solar Energy System and HVAC Upgrade Project Phase III	150,000.00
65	Village for Families & Children (The)	Removal and Replacement of Seven Boilers	150,000.00
66	Walk in the Light Church of God, Inc.	Domestic Violence & Hunger Community Outreach	150,000.00
67	YWCA Hartford Region, Inc.	YWCA Emergency Shelter Program	70,000.00
		<b>TOTAL</b>	<b>\$8,078,423.72</b>

and

**WHEREAS**, DRS requires the governing body of each municipality to approve the submission of the NAA applications to DRS for its review and approval, and

**WHEREAS**, Proposals must be approved and submitted to DRS before its June 30, 2019, deadline, now, therefore, be it

**RESOLVED**, That the Court of Common Council authorizes the Mayor to submit the program proposals as listed on this resolution, all of which are eligible under the 2019 Neighborhood Assistance Act, to the State of Connecticut Department of Revenue Services by June 30, 2019, and be it further

**RESOLVED**, That the Court of Common Council designates the Mayor as the City's authorized representative and further authorizes him to take all steps necessary to implement the NAA program, and be it further

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

**RESOLVED**, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of, this resolution should the Mayor fail to execute the aforementioned agreements or other documents, or to take any of the other aforesaid actions, and be it further

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

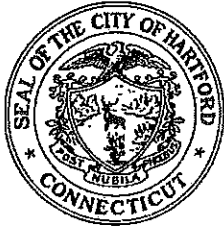
# Court of Common Council

ITEM#

4

ON AGENDA

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President  
James Sánchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

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

John V. Bazzano, Town and City Clerk

## Communication

May 28, 2019

Honorable Glendowlyn L. H. Thames, Council President  
City of Hartford  
550 Main Street, Room 208  
Hartford, CT 06103

### **RE: Sidewalk Repair and Improvement Grant**

Dear Members of the Court of Common Council:

Request to discharge the April 24, 2019 referred resolution to the Operation, Management, Budget and Government Accountability Committee, authorizing the City to accept a \$5,000,000 Urban Act Grant from the State of Connecticut Department of Economic and Community Development to implement a citywide sidewalk repair and improvement project

Respectfully Submitted,

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Glendowlyn L. H. Thames  
Co-Chairwoman of OMBGA

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Thomas J. Clarke II  
Co-Chairman of OMBGA



# Court of Common Council

ITEM#

5

ON AGENDA

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President  
James Sánchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman  
Larry Deutsch, Councilman  
Claudine Fox, Councilwoman  
Maly Rosado, Councilwoman  
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Communication

May 28, 2019

Honorable Glendowlyn L. H. Thames, Council President  
City of Hartford  
550 Main Street, Room 208  
Hartford, CT 06103

Dear Members of the Court of Common Council:

**RE: Capital Gateway Transit-Oriented Development Concept Plan.**

Dear Members of the Court of Common Council:

Request to discharge the March 26, 2019 referred resolution to the Committee of the Whole, regarding the adoption of the City of Hartford Capital Gateway Transit-Oriented Development Concept Plan.

Respectfully Submitted,

Glendowlyn L. H. Thames  
Chairwoman of Committee of the Whole

# Court of Common Council

ITEM#

6

ON AGENDA

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Planning, Economic Development, and Housing Committee*

*John Q. Gale, Chair*

*Wildaliz Bermudez*

*Larry Deutsch*

*Glendowlyn L. H. Thames*

*James Sanchez*

*Maly D. Rosado*

Glendowlyn L. H. Thames, Council President  
James Sánchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

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

John V. Bazzano, Town and City Clerk

## REPORT

May 28, 2019

Honorable Glendowlyn L. H. Thames, Council President  
City of Hartford  
550 Main Street, Room 208  
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Planning, Economic Development and Housing Committee meeting of the Court of Common Council of the City of Hartford met on April 2, 2019 at 6:00pm in Council Chambers. Present were John Q. Gale, Chair, Councilman Sanchez, and Councilwoman Wildaliz Bermudez.

The following action was taken:

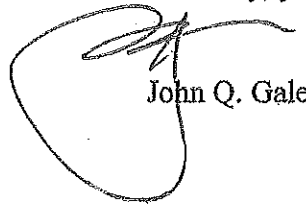
Motion by Councilman Sanchez and seconded by Councilman Gale to send to Council with a favorable recommendation Item No. 2 on the Agenda:

2. COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION AUTHORIZING THE CITY OF HARTFORD TO ENTER INTO A DEVELOPMENT AGREEMENT AND GROUND LEASE WITH RMS COMPANIES ("RMS") FOR THE DEVELOPMENT OF 1212 MAIN STREET, HARTFORD ("PARCEL C"), WITH AN OPTION TO DEVELOP OTHER PARCELS LOCATED IN THE DOWNTOWN NORTH DEVELOPMENT. (MAYOR BRONIN) (ITEM 2 ON THE AGENDA OF MARCH 11, 2019)

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

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

Sincerely, your chair,

A handwritten signature in black ink, appearing to read "John Q. Gale". The signature is stylized with a large, sweeping initial "J" and "Q".

John Q. Gale



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

March 11, 2019

Honorable Glendowlyn L.H. Thames, Council President and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Downtown North – Development Agreement and Ground Lease**

Dear Council President Thames,

Attached is a resolution for consideration by the Court of Common Council (“Council”) which would authorize the City of Hartford (“City”) to enter into a development agreement and ground lease with RMS Companies (“RMS”) for the development of 1212 Main Street, Hartford (“Parcel C”), with an option to develop other parcels located in the Downtown North development.

In November 2017, the City issued a Request for Proposals (“RFP”) seeking qualified developers to develop several City-owned parcels located north of the City’s Downtown district. The redevelopment area consists of 32 properties aggregated into four distinct clusters as shown on the attached Parcel Key Map (the “DoNo Site”). RMS, a real estate development firm based in Stamford, CT, responded to the RFP and the City has worked with RMS since that time to bring a development proposal forward.

RMS has extensive experience in developing the mixed-use development proposed for the DoNo Site, including past and present projects in Stamford, Norwalk, New Haven, Bethel and Danbury. In addition, RMS recently renovated the historic Goodwin Hotel in downtown Hartford.

The plans proposed by RMS call for a holistic transformation of the DoNo Site commencing with Parcel C. Parcel C, overlooking Dunkin Donuts Stadium, has been vacant for several years and is currently being used as a surface parking lot. Parcel C would be developed to include an approximately 200,000 SF mixed-use building with 200 residential units and 11,000 SF of retail/community/flex space, and a structured parking garage containing approximately 250 parking spaces.

The development of Parcel C would proceed under a development agreement with the City that would contain affordable/workforce housing requirements with rents between 80%-120% AMI, and MWBE hiring and living wage mandates. It is anticipated that construction would commence by the end of this year and be completed by Fall of 2020. RMS would then lease Parcel C from the City through a long-term ground lease with bi-annual PILOT payments to the City throughout the lease term. Upon the successful development of Parcel C, RMS would have the option to develop other parcels at the DoNo Site.

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

The specific terms of the development agreement and ground lease with the Developer are more particularly set forth in a detailed term sheet that is attached.

The total projected cost to develop Parcel C is approximately \$46M. Financing for the project consists of a \$8.5M loan from the Capital Region Development Authority, with the balance being funded through construction financing and private equity. City of Hartford HOME funds would be committed toward the development of Parcel C to support the construction of ten affordable units.

The approval of the proposed development agreement and ground lease would result in the development of an underutilized parcel at a prominent and heavily traversed intersection, produce additional affordable/workforce housing units, and create long-term revenue to the City in the form of PILOT payments. Thank you for your consideration.

Respectfully submitted,



Luke A. Bronin  
Mayor

## DoNo Development Agreement – Key Terms/Issues

<p><b>Form of Property Conveyance</b></p>	<p>City and the Developer shall enter into a Development Agreement which will outline all of the City and Developer responsibilities and requirements for the development of the Development Site.</p> <p>The Development Agreement shall include provisions for the City and Developer to enter into a Long-Term Ground Lease for the Development Site. The Ground Lease shall be for 49 years with an option to extend for an additional 49 years.</p> <p>The Developer's leasehold shall be subject to Mortgage Financing (Construction and Permanent).</p>
<p><b>Development Site</b></p>	<p>1212 Main Street (Parcel C).</p>
<p><b>Ground Lease payments</b></p>	<p>One-time payment of \$49.00, plus required insurance, personal property taxes, Payment in Lieu of Taxes (as specified herein), and all other costs and expenses associated with operating and maintaining the Property.</p>
<p><b>Assignment and Transfer Rights</b></p>	<p>Ground lease may be transferred or assigned to a designee or affiliate company to be formed and controlled by the principals of the Developer. Upon issuance of a Certificate of Occupancy, the Ground Lease may be transferred or assigned to a 3<sup>rd</sup> party designee upon written approval of the Director of Development Services for the City. Said approval shall not be unreasonably withheld or delayed.</p>
<p><b>Due Diligence and Financing Period</b></p>	<p>Developer shall have a three-month due diligence period which shall commence on the full execution of a Development Agreement between the City and Developer. During the due diligence period, Developer shall diligently seek and procure written financing commitments.</p> <p>Developer has the right to terminate the agreement for any reason or no reason during the due diligence period. The Developer may request an extension of the Due Diligence/ Financing period. This extension period shall not exceed three months. Such request must be submitted to the City in writing.</p>
<p><b>DONO Parcel Distribution Schedule</b></p>	<p>The City and the Developer have mutually agreed that the first DoNo parcel to be developed is Parcel C located at 1212 Main Street. Upon successful development of this parcel, the Developer shall have the option to develop other DoNo parcels, provided that the Developer meets the milestones that are established.</p> <p>The City and the Developer have established the following parcel distribution order. This order is subject to change based on market conditions, development performance, and financing. This schedule will be represented in greater detail as an exhibit to the Development Agreement.</p>

	<p>PROPOSED PARCEL DISTRIBUTION ORDER:</p> <ol style="list-style-type: none"> <li>1. Parcel C</li> <li>2. Parcel B</li> <li>3. Parcel A</li> <li>4. Parcel D</li> </ol>
<p><b>Developer Development Rights</b></p>	<p>The Developer and the City shall establish a milestone schedule for the transfer, construction and occupancy of the Parcels with appropriate cure periods established.</p> <p>Failure to meet the milestones established, and mutually agreed upon by both the Developer and City will be deemed to be an event of default, which may result in the Developer's loss of committed subsidies. City shall notify developer of any and all defaults in writing and provide time, to be agreed to in the Development Agreement, to cure all defaults.</p>
<p><b>Environmental</b></p>	<p>City will pay for the cost of a Remedial Action Plan.</p> <p>To the extent necessary, the City shall work in concert with the Developer to identify public resources to support the remediation of the Parcel. However, if such public resources cannot be identified and/or attained, the cost of remediation, including any ongoing monitoring, will be borne by the Developer.</p>
<p><b>Project Profile (Parcel C-Only)</b></p>	<p>Proposed Mixed use development consisting of approximately:</p> <ul style="list-style-type: none"> <li>• 200 residential units</li> <li>• 200,000 square feet</li> <li>• 250 +/- parking garage spaces</li> <li>• 11,000 +/- SF retail/community service/flex space</li> </ul> <p>Development Program subject to change upon agreement of the parties.</p>
<p><b>Development Program (Parcels A, B &amp; D)</b></p>	<p>Development Program specifications are approximations and are subject to change upon agreement of the parties.</p> <p><b>PARCEL A</b></p> <ul style="list-style-type: none"> <li>▪ 175 apartments</li> <li>▪ 150 parking spaces</li> </ul> <p><b>PARCEL B</b></p> <ul style="list-style-type: none"> <li>▪ 300 apartments</li> <li>▪ 10,000 sf flex space</li> <li>▪ 30,000 sf grocery store</li> <li>▪ 8,000 sf retail</li> <li>▪ 360 parking spaces</li> </ul>

	<p><b>PARCEL D</b></p> <ul style="list-style-type: none"> <li>▪ 110 apartments</li> <li>▪ 1,250 parking spaces</li> </ul>
<p><b>Scope and Details of Project/Project Design - PARCEL C ONLY</b></p>	<ul style="list-style-type: none"> <li>• Subject to City review and approval</li> <li>• Affordable/Workforce units- Twenty Percent (20%): <ul style="list-style-type: none"> <li><b>Minimum 10% affordability -</b> <ul style="list-style-type: none"> <li>▪ City to provide HOME funding to support the construction of ten (10) units for families with incomes up to eighty percent (80%) AMI. The amount of HOME Funds invested in the project will be determined by calculating the net present value of the loss of revenue resulting from the existence of the affordable units in the development during the twenty (20) year compliance period associated with the HOME Fund requirements.</li> <li>▪ The City commitment of HOME Funds to meet this commitment shall not exceed \$900,000.</li> <li>▪ Developer guarantee to finance the balance (5% or 10 more units). These units will be affordable/workforce housing units, to be made available to individuals and families with incomes between 100% and 120% AMI.</li> </ul> </li> <li>• <b>Additional 10% affordability-</b> <ul style="list-style-type: none"> <li>▪ The parties will work collaboratively to identify other sources of funding to attain additional 10% affordability requirement.</li> <li>▪ The failure to achieve the additional 10% affordability requirement shall not constitute an event of default.</li> <li>▪ City and the Developer may enter into an agreement where the City will create a reserve fund to support the creation of the additional workforce or affordable housing units.</li> </ul> </li> </ul> <p>Under the terms of such agreement the City will create a reserve fund for the developer to access in the event that the revenue loss associated with the provision of additional affordable or workforce units, (but not resulting from vacancy) results in the Developer's inability to meet the debt service requirements or</p> </li> </ul>



	<p>other bank covenant terms. In such instances the developer shall have the right to draw down funds from the reserve fund to satisfy the covenant requirements.</p> <p>The City and Developer shall agree upon an initial Reserve Fund amount in advance of closing which will be funded in advance of construction completion. If during the initial twenty (20) year compliance period the Developer uses all of the funds in the Reserve Fund Account, the City shall have the option to put additional funds into the Reserve Fund Account, but is not required to do so. If it is determined that the additional affordable or workforce housing cannot be provided without the existence of the Reserve Fund Account, then the Developer shall not be obligated to provide the additional affordable or workforce housing units within the development.</p> <ul style="list-style-type: none"> <li>• Developer is responsible for submitting all required documentation to the City Housing Division annually to demonstrate compliance with the affordable/workforce housing requirements that have been established for the project.</li> <li>• The City Housing Division shall have the right to audit the Developer's Lease Agreements to ensure compliance with affordable/workforce housing requirements that have been agreed upon.</li> <li>• Development shall comply with all City Housing Code requirements.</li> </ul>
<p><b>Affordability Requirements: PARCELS A, B AND D</b></p>	<p>Minimum Affordable/Workforce units- Ten Percent (10%):</p> <ul style="list-style-type: none"> <li>• City to provide subsidies to support the construction of five percent (5%) of the units for families with incomes between 60% and 80% AMI.</li> <li>• Developer guarantee to finance the balance of the units (5%). These units will be affordable/workforce housing units, to be made available to individuals and families with incomes between 80% and 120% AMI.</li> </ul> <p>Development of affordable units beyond the 10% Minimum Requirements for Parcels A, B and D will be dependent on the City's and the Developer's ability to identify and secure additional subsidies or otherwise mitigate the loss of revenues to the project that are the direct result of the project increasing the number of affordable housing units beyond the 10% minimum.</p>

<b>City Approval Rights</b>	<p>City shall have the right to approve:</p> <ul style="list-style-type: none"> <li>• Project Design (Design Standards Limited to Zoning Regulations)</li> <li>• Project Schedule</li> <li>• Construction Financing</li> <li>• Security for Project Completion</li> <li>• Project Changes</li> <li>• City will act timely on all approvals</li> </ul> <p>Said approvals not to be unreasonably withheld.</p>
<b>Permits and Approvals</b>	<ul style="list-style-type: none"> <li>• Developer responsible to seek and obtain all required permits and approvals at Developer's cost and expense. City to cooperate and provide timely review and approvals.</li> </ul>
<b>Developer Responsibilities</b>	<ul style="list-style-type: none"> <li>• Finalize Project design; subject to review and approval by the City.</li> <li>• Seek and obtain all required permits and approvals.</li> <li>• Seek and obtain Project construction financing.</li> <li>• Construct Project in accordance with approved plans and approved Project Schedule.</li> <li>• Operate and Maintain the Project in first class manner.</li> <li>• Pay taxes per PILOT Agreement.</li> <li>• Perform environmental remediation of the Development Site at its expense (or using public funds obtained in cooperation with the City).</li> <li>• Provide necessary financial statements and tax information to the City to determine/confirm PILOT Payment Amounts and to address (HOME) funding requirements.</li> </ul>
<b>City Responsibilities</b>	<ul style="list-style-type: none"> <li>• Provide a development agreement detailing the provisions contained within this term sheet.</li> <li>• Provide Ground Lease(s) that are representative of the terms that have been outlined herein.</li> <li>• Cooperate with Developer in seeking funding for environmental remediation at no cost to City.</li> <li>• PILOT Agreement</li> <li>• Provide up to \$900,000 in HOME Funds to support the development of affordable/workforce units on Parcel C.</li> </ul>
<b>Developer Financing</b>	<ul style="list-style-type: none"> <li>• PILOT payments per Ground Lease.</li> <li>• Developer to provide required equity to complete the project as required.</li> <li>• Traditional construction loan or conventional private financing from institutional lender.</li> <li>• CRDA gap financing may be pursued in cooperation with the City.</li> </ul>
<b>Pilot Payment Obligations (All Parcels A-D)</b>	<ul style="list-style-type: none"> <li>• No Pilot payment for two (2) years commencing upon the execution of the Ground Lease.</li> </ul>

	<ul style="list-style-type: none"> <li>• For years 3, 4 and 5 the PILOT payment shall be 5% of ACTUAL gross revenues.</li> <li>• Thereafter, the PILOT payment shall be 7% of ACTUAL gross revenues until the end of the pilot period.</li> <li>• Developer to provide to the City its gross revenue projections for the entire length of the lease term. Upon the City's acceptance of, and concurrence with, said revenue projections, they shall be made a part of the development and/or lease agreement between Developer and City.</li> <li>• Developer to pay the requisite percentage of PROJECTED gross revenues for the prior calendar year bi-annually to the City on or before the dates specified in its agreement with the City.</li> <li>• Should the actual gross revenues exceed, the projected gross revenues in any given year, the Developer shall pay to the City the difference between its projected and actual gross revenues within thirty (30) days of its financial submission to the City.</li> <li>• Within 30 days of the Developer submitting its State and Federal Income Tax Returns but no later than June 1<sup>st</sup> of each calendar year, Developer shall provide to the City Assessor the following information. <ul style="list-style-type: none"> <li>○ Summary pages of the Federal and State financial returns that state gross revenues for the development.</li> <li>○ Developers internally prepared income statements</li> <li>○ Owners affidavit stating that information provided is accurate</li> </ul> </li> </ul>
<b>Closing Contingencies</b>	<ul style="list-style-type: none"> <li>• Receipt by Developer of all Permits and Approvals.</li> <li>• City review and approval of final development plans and construction schedule.</li> <li>• Construction financing (including equity investment) in place, and acceptable to City.</li> <li>• Final financing commitments.</li> <li>• Agreement on PILOT.</li> <li>• Agreement to cooperate with Developer in obtaining grant funding/ financing for environmental remediation.</li> <li>• All closing contingencies set forth in the Development Agreement must be addressed prior to the execution of the Ground Lease.</li> </ul>
<b>Infrastructure improvements</b>	<ul style="list-style-type: none"> <li>• Developer Responsible for any infrastructure improvements or other mitigation required for its Project.</li> </ul>
<b>Construction Schedule</b>	<ul style="list-style-type: none"> <li>• To be determined</li> </ul>

<b>Parking</b>	<ul style="list-style-type: none"> <li>• Parking to be provided by Developer in the minimum amounts specified in the RFP.</li> </ul>
<b>Events of Default</b>	<p>During Construction:</p> <ul style="list-style-type: none"> <li>• Failure to comply with Development Agreement, including any applicable milestones contained therein, including, but not limited to, construction commencement and completion dates.</li> <li>• Failure to secure appropriate funding.</li> <li>• Failure to obtain a CO.</li> <li>• Failure to remediate the property.</li> <li>• City shall notify developer of any and all defaults in writing and provide time to be agreed to in the Development Agreement to cure all defaults.</li> </ul> <p>Post Construction:</p> <ul style="list-style-type: none"> <li>▪ Failure to pay PILOT or any other costs and expenses associated with the developed property.</li> <li>▪ Failure to provide Financial Statements and tax returns as defined herein by specified date.</li> <li>▪ Failure to meet affordable/workforce housing requirements as proposed.</li> <li>• City shall notify developer of any and all defaults in writing and provide time to be agreed to in the Ground Lease to cure all defaults.</li> </ul>
<b>City Remedies for Developer Default</b> (Only after notice and failure to cure within designated time period.)	Satisfactory remedies to be determined by Developer and the City within the Development Agreement and Ground Lease.
<b>Changes in Project</b>	Subject to City review and approval, which approval is not to be unreasonably withheld.
<b>Public Review and Input</b>	Developer to attend all public meetings as required and to meet with community leaders and stakeholders as requested.
<b>Common Council Approval</b>	The terms proposed herein are conditioned upon, and subject to, approval by the City of Hartford's Court of Common Council.
<b>Use Restrictions and Covenants</b>	To be discussed
<b>Community Benefits</b>	<ul style="list-style-type: none"> <li>• Affordable Housing-Minimum 10% guaranteed for families with incomes between 60% - 80% AMI.</li> </ul> <p><b>GOOD FAITH EFFORTS:</b></p> <ul style="list-style-type: none"> <li>• Hartford Residents - Construction jobs (30% of project hours)</li> </ul>

- MWBE Participation-(15% of project hours)

**REQUIRED:**

- MWBE Participation (Vendors or Sub-Contractors) 15% of total construction costs. City will entertain a reduction of the Total Development Costs that would otherwise be attributed toward meeting the Community Benefits requirements for construction items that are uniquely sourced (i.e. modular construction components).
- The Developer shall pay a sum equal to ten thousand (\$10,000) to City's designated entity to support active recruitment, engagement, capacity building and success of MBE, WBE and local Hartford Contractors selected to do work on the Development. As part of this engagement the Developer shall work with the City's designated entity to post, inform and publish all contracting and employment opportunities created by the Development. The aforementioned sum is solely for Parcel C. The Developer shall be required to make other contributions to support such activities for subsequent development sites.
- Living Wage Construction jobs (Article XII - City of Hartford Municipal Code)
- Developer and its contractors will be subject to the City's Living Wage Ordinance and MWBE participation requirement (15% of total construction costs) as set forth above.

Developer will be required to make good faith efforts to ensure that thirty percent (30%) of project hours worked are performed by residents of the City of Hartford and fifteen percent (15%) of project hours worked are performed by Minority/Women Business Enterprises (MWBE). Such good faith efforts shall include, but not be limited to, outreach to employment offices, organizations working in the City to provide job training and support for Hartford residents, and/or the establishment of, or participation in, job fairs to enable Hartford residents to apply for job opportunities.

It is the expectation that in the event of Developer Default the successor of the Developer will assume all obligations associated with the Community Benefit requirements that have been established for the development.

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

**COURT OF COMMON COUNCIL**  
City of Hartford, March 11, 2019

**WHEREAS**, The City of Hartford ("City") owns 32 parcels of land north of the City's Downtown district that have been aggregated into four distinct clusters identified as Parcels A-D on the attached Parcel Key Map (the "DoNo Site"); and

**WHEREAS**, In November 2017, the City issued a Request for Proposals ("RFP") seeking qualified developers to develop the DoNo Site into a mixed-use development, and RMS Companies ("RMS"), a real estate development firm based in Stamford, CT, was the sole respondent to the RFP; and

**WHEREAS**, The plans proposed by RMS call for a holistic transformation of the DoNo Site commencing with the development of the vacant parcel located at 1212 Main Street ("Parcel C").

**WHEREAS**, Parcel C would be developed to include an approximately 200,000 SF mixed-use building with 200 residential units and 11,000 SF of retail/community/flex space, and a structured parking garage containing approximately 250 parking spaces; and

**WHEREAS**, The development of Parcel C would proceed under a development agreement with the City that would contain an option to develop other DoNo site parcels upon the successful completion of Parcel C, affordable/workforce housing requirements with rents between 80%-120% AMI, and MWBE hiring and living wage mandates; and

**WHEREAS**, The total projected cost of the development of Parcel C is \$46M, with financing consisting of an \$8.5M loan from the Capital Region Development Authority, construction financing, private equity and a City of Hartford HOME fund commitment toward the construction of ten affordable units; and

**WHEREAS**, Post construction, RMS would lease Parcel C from the City through a long-term ground lease with bi-annual PILOT payments to the City throughout the lease term; and

**WHEREAS**, The specific terms of the development agreement and ground lease with RMS is more particularly set forth in the attached term sheet; and

**WHEREAS**, The proposed development agreement and ground lease will result in the development of an underutilized parcel at a prominent and heavily traversed intersection, produce additional workforce housing units, and create long-term revenue to the City in the form of PILOT payments; now therefore be it

**RESOLVED**, That the Court of Common Council hereby authorizes the Mayor, subject to review and approval of a Term Sheet for the project, to enter into a development agreement and ground lease with RMS Companies or its designee; and be it further

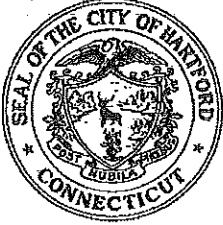
**RESOLVED**, That the Mayor is hereby authorized to execute any and all manner of other documents, including any utility easement that may be required, and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interest of the City in order to effectuate the above transaction, upon approval of the Term Sheet, and be it further

**RESOLVED**, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreements or other documents, or to take any of the other aforesaid actions, and be it further

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

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Legislative Affairs Committee*

*John Q. Gale, Chair*

*James Sanchez*

*Maly D. Rosado*

*Larry Deutsch*

*Claudine Fox*

Glendowlyn L. H. Thames, Council President  
James Sánchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

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

John V. Bazzano, Town and City Clerk

## REPORT

May 28, 2019

Honorable Glendowlyn L. H. Thames, Council President  
City of Hartford  
550 Main Street, Room 208  
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on May 14, 2019 at 5:30 pm in Council Chambers. Present were John Q. Gale, Majority Leader Councilman James Sanchez, Councilwoman Claudine Fox, and Councilman Larry Deutsch.

The following action was taken:

Ms. Paguada responded to questions of the committee surrounding experience and goals within the appointed role, as her qualifications were reviewed.

Motion by Councilwoman Fox and seconded by Councilman Gale to send the following Agenda item back to council with a favorable recommendation:

1. **COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION CONFIRMING THE APPOINTMENT OF LESLIE PAGUADA TO THE HARTFORD BOARD OF EDUCATION. IF CONFIRMED, MS. PAGUADA WOULD SERVE THE REMAINDER OF TERM VACATED BY MR. RICHARD WAREING. (ITEM #1 ON THE AGENDA OF APRIL 8, 2019)**



Vote 3-0 in favor of motion taken as follows:

Gale - yes  
Sanchez - absent  
Deutsch - yes  
Fox - yes  
Rosado - absent

Your chair

A handwritten signature in black ink, appearing to read "J. Q. Gale". The signature is written in a cursive style with a large initial "J" and "Q".

signed by MM

John Q. Gale



**Luke A. Bronin**  
Mayor

April 8, 2019

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Appointment to the Board of Education**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Leslie Paguada to the Hartford Board of Education. If confirmed, Ms. Paguada would serve the remainder of term vacated by Mr. Richard Wareing

The Board of Education is responsible for top-level, district-wide decisions that affect the direction and progress of our schools. Ms. Paguada is a deeply knowledgeable, compassionate, experienced leader who has dedicated her life to children and young people, and she would be a strong addition to the Board of Education. Ms. Paguada is currently Director of Early Care and Education for the Community Renewal Team. She has two decades of experience as a teacher and administrator in diverse environments, including three years as an educational coach for the City of Hartford's Department of Families, Children, Youth, and Recreation.

Ms. Paguada earned a Bachelor of Science from Charter Oak State College in New Britain, a Master's degree in Early Childhood Education from the University of Hartford, and is currently a doctoral student in education leadership at the University of Hartford.

I am confident that Ms. Paguada will be an effective member of the Board of Education. Her resume is attached for your review.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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# LESLIE PAGUADA

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LINKEDIN.COM/IN/LESLIE-  
PAGUADA-84A56458

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## OBJECTIVE

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To positively impact and influence the community of learners I work with. Make a difference one person at a time, by celebrating their strengths and individuality. To share knowledge and maximize every learning opportunity that comes our way.

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## EXPERIENCE

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### **DIRETOR EARLY CARE AND EDUCATION COMMUNITY RENEWAL TEAM**

October 2018- Present

- Serve as a member of senior management team charged with responsibilities of implementing policies as directed by the President.
- Establish and maintain working relationships with local school districts, community groups and parents.
- Supervise the performance of all educational programs and staff or delegate the authority to other employees as appropriate.
- Establish and maintain a comprehensive plan for monitoring ECE progress in achieving educational goals.
- Establish and monitor an effective system to obtain parent fees and state subsidy payments.
- Ensure that data systems provide timely accurate information, and that information generated is provided to parents, policy groups, staff and general community if applicable.

### **ASSISTANT DIRECTOR ECE COMMUNITY RENEWAL TEAM**

May- October 2018

- Assure that the program provides quality services to children/families
- Provide leadership and guidance to staff.
- Assure that the program meet compliance standards of set by different funding sources.
- Assist in management and administration of the ECE program.

### **EDUCATIONAL COACH/MONITOR CITY OF HARTFORD DEPARTMENT OF FAMILIES CHILDREN YOUTH AND RECREATION**

August 2015 – May 2018

- Provide city wide educational coaching support to School Readiness funded Community Based Programs, Hartford Public Schools and CREC. (Using CT Early Learning Development Standards-ELDS))
- Develop goals by analyzing data, while coaching teachers and

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## SKILLS

Ability to connect with people while being a listener and embracing everyone's uniqueness.

Approach to challenge with a vision and positive mindset, at the same time able to acknowledge and celebrate success.

Effective to motivate and inspire those working with me, while empowering individuals as members of a team.

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instructional leaders which impact the education of over 800 preschool children city wide.

- Facilitate Peer Learning Groups.
- Measure quality of instructional practices and validate the accuracy of child assessment measures. (School Readiness funded programs)
- Substantiate compliance with School Readiness and Office of Early Childhood requirements. (School Readiness Funded Programs)
- Establish positive and strong relationships with providers in our community.

### **EARLY CHILDHOOD TEACHER/TEAM LEADER WOMEN'S LEAGUE CDC- HARTFORD, CT**

November 2009- July 2015

- Work with different teaching teams on developing learning experience plans that target domains and developmental areas. (CT ELDS/ PAF)
- Responsible for assisting with implementation of developmental, behavioral, and sensory screening within regulations and performance standards.
- Provide day to-today supervision and support to teachers, teacher assistants, substitutes, volunteers, which included sharing daily program plans and discussing goals.
- Mentor student teachers from various colleges in partnership with the preschool program.
- Build connections and positive relationships with families, and the community, leading to partnerships that make a difference.
- Participated in NAEYC reaccreditation process.

### **EARLY CHILDHOOD TEACHER CATHOLIC CHARITIES- HARTFORD, CT**

February 2007- October 2009

- Implement, evaluate and adapt developmentally appropriate preschool curriculum.
- Carry out developmentally appropriate and effective classroom management strategies that aligned to the program's policies and philosophy.
- Participate in organization and planning of family and community events.

**EARLY CHILDHOOD TEACHER**  
**SS. CYRIL & METHODIUS PRESCHOOL -HARTFORD, CT**

November 2000- February 2007

- Prepare weekly lesson plans to reflect how children's developmental needs were met.
- Foster reasoning and problem solving through active exploration and increasing levels of interactions.
- Responsible for implement NAEYC, policies and procedures, regulations and guidelines and participating on the accreditation process.

**THIRD GRADE TEACHER**  
**ESCUELA INTERNACIONAL**  
**LA LIMA/HONDURAS- CENTRAL AMERICA**

September 1997- September 2000

- Plan third grade curriculum with education department requirements.
- Provide consistent, and immediate feedback to student's learning by intentionally planning and individualizing.
- Participate and implement Primary Years Program form the International Baccalaureate.
- Communicate with families through family/teacher conferences and open house.

**ABC/HONDURAS CENTRAL AMERICA**

1997

Work with grades second through sixth while using the Accelerated Christian Education Curriculum.

Lead teacher training on specific topics of need for each teaching team.

**SAN ALEJO AMERICAN SCHOOL/HONDURAS CENTRAL AMERICA**

1994-1997

Kindergarten teacher and multi-grade teacher for fifth and sixth grade. Participate in organizing extracurricular events, such as family night, united nations night and more.

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## EDUCATION

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### **DOCTORAL STUDENT - EDUCATIONAL LEADERSHIP**

Currently enrolled  
University of Hartford

### **MASTER OF EARLY CHILDHOOD EDUCATION**

University of Hartford

Recipient of the Regina Miller –Heart of the Teacher Award

And

Steinwedell Scholarship- Hartford Foundation for Public Giving

### **BACHELOR OF SCIENCE**

Charter Oak State College- New Britain, CT

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## VOLUNTEER EXPERIENCE OR LEADERSHIP

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- Youth Mentor at Center for Latino Progress
- Hartford Marathon Foundation Volunteer
- Bicycles and Community Volunteer
- SINA –Neighborhood Safety Team
- Hartford Public Library Corporator

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

**COURT OF COMMON COUNCIL**  
City of Hartford, April 8, 2019

**WHEREAS,** The purpose of the Hartford Board of Education is responsible for top-level, district-wide decisions that affect the direction and progress of our schools, and

**WHEREAS,** The Board of Education is composed of nine members, four of which are elected, and five of which are appointed by the Mayor and confirmed by the Court of Common Council that serve a term of four years, and

**WHEREAS,** The Mayor has appointed Leslie Paguada as a new member of the Hartford Board of Education, now therefore be it,

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

Leslie Paguada (U) – to replace Richard Wareing  
57 Charter Oak Avenue, Hartford CT, 06106

## SUBSTITUTE

Introduced by: Mayor Luke A. Bronin

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2A - PENSIONS, SECTION 2A-5 AND CREATING NEW SECTIONS 2A-45, 2A-46, AND 2A-47 OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORDSeptember 11, 2017

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 2A, Section 2A-5 of the Municipal Code of Hartford be amended as follows and that Sections 2A-45, 2A-46 and 2A-47 be added as follows:

## Article I. General Provisions

## Sec. 2A-5: Definitions.

As used in this chapter, the following terms shall have the meanings ascribed thereto below, unless, and then only to the extent, a subsequent definition specifically provides for a different meaning with respect to any such term within the context of a particular section or subsection.

- (1) " *Actual service* " shall consist, for purposes of establishing both vested, (i.e. nonforfeitable) rights to, and eligibility to receive, any benefits provided herein which are conditioned upon the completion of such service, of the following:
- a. Any period or periods during which a member provided service to the city, library or board by working a full time schedule and for which a member has contributed the requisite portions of his or her earnings to the fund;
  - b. Any of those periods referenced in subsections (1)b.1 through 5 below, during which a member provided service to the city, library or board by working anything less than a full time schedule, and for which a member has contributed the requisite portions of his or her earnings to the fund, including:
    1. Periods of employment in a position in the unclassified service of the city for which the member has timely elected to receive credit for such service pursuant to the provisions of Ordinance Number 50-98;
    2. Periods of employment with the city during which a member worked at least twenty (20) hours a week and was represented for collective bargaining purposes by the Municipal Lawyers Association;
    3. Periods of employment during which a member is, or was, classified as a part time professional employee of the library;
    4. Periods of employment during which a member is, or was, classified as a part time employee of the board; and
    5. Periods of employment after returning from maternity or paternity leave, so long



5. Periods of employment after returning from maternity or paternity leave, so long as the member worked a full time schedule immediately prior to such leave and subsequently returned to full time employment, provided that the member was eligible for, and timely elected to receive, credit for such service pursuant to the provisions of Ordinance No. 18-03.
- c. Any period or periods of qualified USERRA service as defined in section 2A-7, regardless of whether a member has purchased or otherwise elected to receive USERRA credit pursuant to section 2A-7(d); and
- d. Any period or periods during which an employee received weekly payments representing income replacement under the Workers' Compensation Act.
- (2) A member's " *basic weekly pay* " shall mean the gross wages that a member would be paid per week based upon the rate of pay used to calculate the lump sum amounts paid to a member on account of accrued vacation and sick time upon his or her termination of employment.
- (3) A " *break-in-service* " results from any absence, without pay, which lasts more than ninety (90) consecutive days, unless:
- a. The break-in-service is longer than the period of the employee's prior service, and the member applies for, and is granted, a leave of absence, by the Hartford Court of Common Council;
- b. The break-in-service is equal to or less than the period of the employee's prior service, and the member applies for, and is granted, a leave of absence by the Pension Commission, provided that an employee whose request for a leave of absence has been denied by the Pension Commission shall have the right, within thirty (30) days of the denial, to apply to the Court of Common Council, which shall make a de novo determination of the employee's request for a leave of absence;
- c. The absence is caused by a disability that routinely requires the regular attendance of a physician;
- d. The member was receiving weekly payments representing income replacement under the Worker's Compensation Act during the period of absence; or
- e. The absence resulted from the member's provision of qualified USERRA service as defined in section 2A-7(a), and, after completing that service, the member returned immediately to city, library or board employment.
- (4) " *Continuous service* " shall refer to any period of actual service that is not interrupted by a break-in-service.
- (5) " *Creditable accrued sick time* " shall mean that period of time commencing with the member's effective date of retirement, for which such member would continue to receive his or her basic weekly pay if such member were to receive amounts paid thereto for accrued sick time upon his or her termination of employment on a weekly basis, as opposed to in a lump sum, without regard to whether any days in such time period are or have been designated holidays for active employees.
- (6) " *Creditable accrued vacation time* " shall mean that period of time between the day following a member's last day of work and the date upon which such member's last day of work would have occurred had such member remained an active employee and received payments for his or her accrued vacation on a weekly basis, as opposed to a lump sum basis, both dates inclusive.
- (7) " *Creditable accrued vacation and sick time* " shall mean the sum of a member's

creditable accrued vacation time and creditable accrued sick time.

- (8) " *Creditable actual service* " shall include all actual service except: (1) periods of qualified USERRA service for which the member has not purchased or received USERRA credit pursuant to section 2A-7(d); and (2) periods of absence in excess of ninety (90) days, even if such absences do not constitute a break in service for purposes of determining continuity of service, if during such absence the member was receiving neither weekly payments representing income replacement under the Workers' Compensation Act nor earnings from which employee contributions are properly deducted pursuant to the provisions of this chapter.
- (9) A member's " *date of retirement* " shall be established by an application signed by both the member's appointing officer and either the mayor (or his or her designee), or the superintendent of schools (or his or her designee) for employees of the board of education. Payment of a member's retirement allowance shall be subject to the approval of the pension commission as to the member's eligibility and the amount of his or her allowance.
- (10) *Employee references.* For purposes of this chapter, the following terms shall be utilized in referencing employees.
- a. " *NBU-GG employees* " shall refer to those nonbargaining unit general government employees of the city who are not: (a) sworn police officers or firefighters, (b) board employees, or (c) library employees], who are members of the fund.
    1. " *Pre-2011 NBU-GG employees* " shall refer to those NBU-GG employees whose initial date of hire with the City is before January 1, 2011, who are members of the fund.
    2. " *Post-2011 NBU-GG employees* " shall refer to those NBU-GG employees whose initial date of hire with the City is on or after January 1, 2011, but before September 11, 2017, who are members of the fund.
    3. " *Post-2017 NBU-GG employees* " shall refer to those NBU-GG employees whose initial date of hire with the City is on or after July 1, 2017, who shall not be eligible to be members of the fund.
  - b. " *CWA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the Communication Workers of America.
  - c. " *CHPEA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the City of Hartford Professional Employees' Association.
    1. " *Pre-1997 CHPEA employees* " shall refer to those CHPEA employees who were hired into the CHPEA bargaining unit before October 1, 1997.
    2. " *Post-1997 CHPEA employees* " shall refer to those CHPEA employees hired into the bargaining unit on or after October 1, 1997 but before June 23, 2003.
    3. " *2003 CHPEA employees* " shall refer to those CHPEA employees whose initial date of employment with the city is on or after June 23, 2003.
  - d. " *HMEA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the Hartford Municipal Employees' Association ("HMEA").
    1. " *Post-2003 HMEA employees* " shall refer to those HMEA employees whose

- initial date of hire with the city is on or after July 1, 2003.
2. "Pre-2003 HMEA employees" shall refer to those HMEA employees whose initial date of hire with the city is before July 1, 2003.
  3. "ISD HMEA employees" shall refer to those members of the fund to whom all of the following criteria apply:
    - (i) Where HMEA employees, employed in the city's former Information Services Department ("ISD"), immediately prior to their layoff or retirement from city employment;
    - (ii) Whose job duties in the ISD were transferred to the city's Metro Hartford Information Services Department ("MHIS");
    - (iii) Were not offered comparable employment in MHIS within twenty-four (24) months following their layoff or retirement;
    - (iv) Whose last day worked with the city due to subsection (ii), above was between the dates of July 1, 2002 and May 30, 2003; and
    - (v) Are currently receiving a retirement allowance from the fund as of June 9, 2008, the date on which the court of common council adopted a resolution affirming the terms of a settlement agreement between HMEA and the city.
- e. "MLA employees" shall refer to those employee members of the fund who are represented for collective bargaining purposes by the City of Hartford Municipal Lawyers' Association.
- f. "NBU-P/F employees" shall refer to those employee members of the fund who are sworn police officers not represented for collective bargaining purposes by the Hartford Police Union and those employee members of the fund who are firefighters who are not represented for collective bargaining purposes by Local 760, International Association of Firefighters.
1. "Pre-1997 NBU-P/F employees" shall refer to those NBU-P/F employees who were employed as sworn police officers or firefighters before December 31, 1996.
  2. "Post-1997 NBU-P/F employees" shall refer to those NBU-P/F employees who were employed as sworn police officers or firefighters on or after December 31, 1996 but before January 1, 2011.
  3. "2011 NBU-P/F employees" shall refer to those NBU-P/F employees whose initial date of hire with the City is on or after January 1, 2011.
- g. "HPU sworn officers" shall refer to those employee members of the Fund who are sworn police officers represented for collective bargaining purposes by the Hartford Police Union.
1. "Post-1999 HPU sworn officers" shall refer to those HPU sworn officers hired after July 1, 1999.
  2. "Pre-1999 HPU sworn officers" shall refer to those HPU sworn officers hired on or before July 1, 1999.
- h. "HPU non-sworn employees" shall refer to those employee members of the Fund who are not sworn police officers but are represented for collective bargaining purposes by the Hartford Police Union.
- i. "Local 760 employees" shall refer to those employee members of the Fund who are

represented for collective bargaining purposes by Local 760, International Association of Firefighters.

1. " *Post-2003 Local 760 employees* " shall refer to those Local 760 employees hired into the bargaining unit on or after July 1, 2003.
  2. " *Pre-2003 Local 760 employees* " shall refer to those Local 760 employees hired into the bargaining unit before July 1, 2003.
  - j. " *SCGA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the School Crossing Guards' Association.
  - k. " *NBU-HPL employees* " shall refer to those nonbargaining unit employees of the library who are members of the fund.
  - l. " *Local 1716-HPL employees* " shall refer to those employees of the library who are represented for collective bargaining purposes by Local 1716 who are members of the fund.
  - m. " *NBU-BOE employees* " shall refer to those nonbargaining unit employees of the board who are members of the fund.
  - n. " *Local 78 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 78, Hartford Schools Support Supervisors.
  - o. " *Local 82 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 82, Hartford Education Support Personnel.
  - p. " *Local 818 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 818, Building and Grounds Supervisors.
  - q. " *Local 1018A/B employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018A/B, Hartford Federation of School Health Professionals who are members of the fund.
  - r. " *Local 1018C employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018C, Hartford Federation of School Secretaries.
  - s. " *Local 1018D employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 1018D, Hartford Federation of Corridor Supervisors.
  - t. " *Local 2221 employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 2221, Hartford Federation of Paraprofessionals.
  - u. " *HFCDA-BOE* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018E, AFT, AFL-CIO.
- (11) A member's " *effective date of retirement* " shall be the day after the period of time following such member's last day of work which is equal to his or her creditable accrued vacation time.
- (12) A member's " *final average pay* " shall be based upon his or her gross earnings only to the extent that: (1) the provisions of this chapter specifically provide for his or her final average pay to be calculated in that manner; and (2) such final average pay is calculated

in accordance with subsection (14). Unless, and then only to the extent, this chapter provides that a member's final average pay is to be based upon his or her gross earnings over a stated period of time, a member's final average pay shall not include any amounts paid to such member upon or by reason of his or her termination of employment either for accrued sick time or as a severance payment.

(13) The "final average pay period" for each member shall mean those total number of such member's final years of service from which some subset thereof is to be used for purposes of determining such member's final average pay. Thus, for example, if a member is entitled to have his or her pension benefit calculated on the basis of his or her highest two (2) of his or her last five (5) years of gross earnings, then such member's final average pay period is such five (5) year period. Except as otherwise provided in subsection (14) below, a member's final average pay period shall end on the day prior to his or her effective date of retirement.

(14) Commencing on August 1, 1993, a member's "gross earnings" with respect to any year of service shall mean and include all amounts payable by the city directly to such member for services rendered by such member to the city (including, but not limited to, any and all of its agencies, commissions, boards, offices and departments) within such time period which amounts shall include, but not necessarily be limited to, such member's basic salary, payments for or in lieu of overtime, longevity pay, and retroactive pay increases, as and to the extent each is attributable to such services, but, except as provided in this subsection below, shall not include either any amounts paid for services rendered in some other time period or any payments made to a member upon and by reason of his or her termination of employment (including, but not limited to any and all severance payments and lump sum payments for accrued vacation and sick time).

*Calculation of gross earnings.* Commencing on August 1, 1993, any member whose final average pay is based upon his or her gross earnings over a stated period of time shall have his or her gross earnings adjusted to account for any lump sum payments made to such member for accrued vacation and sick time upon his or her termination of employment by, and only by, adjusting such member's final average pay period such that the last day of that period corresponds to what such member's last day of work would have been had such member continued to work beyond his or her actual last day of work for that period of time equal to his or her creditable accrued vacation and sick time; providing however, that nothing herein shall be construed to permit or require the adjustment of the length of time included within a member's final average pay period. Thus, expressed as a formula, and subject to the foregoing provisos, a member whose final average pay is based on gross earnings shall have his or her final average pay period adjusted as follows:

Last day of final average pay period	=	Last day of work	+	Creditable accrued vacation and sick time
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(15) Commencing on August 1, 1993, a member's "last day of work" prior to retirement shall be that date designated by the city as the last day on which he or she was expected to provide services to the city, which, in any case, shall not include any period of time that an employee is carried on the city's books and records as an employee to account for the lump sum payment of accrued vacation time to such member in connection with his or her termination of employment with the city. A member's bona fide absence from

work on any date under and in accordance with the city's personnel rules and/or such member's collective bargaining agreement, as applicable, shall not be considered a basis for determining that such member was not expected to provide services to the city on such date.

- (16) "Member" shall mean an individual who, by virtue of his or her employment with the city, library or board;
- a. Is, or was, eligible to participate in the fund;
  - b. Has in fact participated in the fund by satisfying applicable employee contributions; and
  - c. Is either: (1) receiving an allowance provided hereunder; (2) eligible to receive an allowance provided hereunder at some future date certain; (3) continuing to provide employee contributions to the fund as provided hereunder; or (4) no longer providing employee contributions but has not withdrawn such contributions pursuant to the terms hereof.
- (17) "Qualified surviving spouse" shall mean the surviving spouse of a member who shall have been married to the member prior to his or her retirement, which, for purposes of this definition only, shall be deemed to mean the date of termination of active employment, including any service attributable to creditable accrued vacation time.

(18) "401(a) Plan Participants" shall refer to all Post-2017 NBU-GG employees who elect to contribute to the City's 401(a) plan, pursuant to Section 2A-46.

(NEW) Section 2A-45. -- Section 401(a) Plan Established

There is hereby established a City of Hartford Section 401(a) Defined Contribution Plan ("401(a) Plan"). Post-2017 NBU-GG employees are not eligible to be members of the MBERF, but may, upon hire, elect to participate in the City's 401(a) plan.

(NEW) Section 2A-46. -- Contributions

- (a) Internal Revenue Code Section 414(h) Pick-up Contributions. The 401(a) Plan will contain a pick-up contribution provision as defined under section 414(h) of the Internal Revenue Code subject to and in accordance with the terms set forth in this subsection. The purpose of this provision is to enable pick-up contributions to the plan to be made in such a manner that the value of such contributions are neither subject to the payment of federal income taxes until such contributions are distributed to such employees, nor withholding of such taxes when such contributions are made to the extent permitted by the Internal Revenue Code. The pick-up contributions of those members who are expressly identified as "401(a) Plan Participants" shall be governed by subsections (a) and (b) of this section.
- a. Post-2017 NBU-GG employees shall elect, within thirty days of the date of hire whether to:
    - a. make a one-time irrevocable election to not participate in the 401(a) Plan; or
    - b. elect for the City to make pick-up contributions in an amount which must be a

minimum of three percent (3.0%) of the 401(a) Plan Participant's base rate of pay ("Pay"). The election to participate and the percentage amount of pick-up contributions, if applicable, is irrevocable and cannot thereafter be changed during the term of that individual's employment as a NBU-GG employee.

b. The city shall pick up and deposit to the 401(a) Plan all 401(a) Plan Participants' pick-up contributions, as elected by the 401(a) Plan Participant, in accordance with paragraph (i) of this subsection. Nothing herein shall relieve any 401(a) Plan Participant from any obligation to make pick-up contributions to the 401(a) Plan, it being the intent and effect hereof instead, that the city shall deposit each 401(a) plan participant's pick-up contributions to the 401(a) Plan in lieu of such employee making such contributions.

c. In consideration of the city picking up such pick-up contributions, 401(a) Plan Participants shall have their Pay reduced by an amount equal to the contributions so picked up by the city.

(b) City Contributions. The city shall pay on into the designated account, on an annual basis, an amount equal to the proportion of pay contributed by each 401(a) Plan Participant, provided that the city contribution shall not exceed seven percent (7.0%) of the base rate of pay the 401(a) Plan Participant.

(NEW) Section 2A-47. -- Vesting

(a) A 401(a) Plan Participant's rights to and/or interests in the city contributions, as set forth in Section 2A-46 (b), vest upon completion of the following schedule of continuous years of service, regardless of age:

Year one (1):	zero percent (0.0%)
Year two (2):	twenty percent (20.0%)
Year three (3):	fifty percent (50.0%)
Year four (4):	eighty percent (80.0%)
Year five (5):	one hundred percent (100.0%)

This ordinance shall take effect upon adoption.

Introduced  
by:

Councilman Thomas J. Clarke II

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, SECTION 850 OF THE  
HARTFORD MUNICIPAL CODE

COUNCIL,

COURT OF COMMON

CITY OF HARTFORD

Date July 9, 2018

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

That Chapter Two, Article VIII of the Municipal Code be amended by changing Section 2-850 as follows:

Sec. 2-850. - Residency requirements.

(A) All council and Mayor appointees and Unclassified Employees employed by the City, shall maintain a continuous residence in the City during the period of such appointment or employment. This section shall not apply to new employees or appointees during the first six (6) months of such employment or appointment. If such individual ceases to be a bona fide resident of the City once the residency has been established or fails to become a bona fide resident within six (6) months of the appointment or employment, the Council shall, by a vote of seven (7) members, send notice to the mayor that pursuant to the provisions of Chapter V, section 3(e) of the Hartford Charter, the office or position of the individual who has failed to remain a bona fide resident of Hartford shall thereupon become vacant, and such appointment or employment shall terminate.

(B) Definitions.



"Bona fide resident" is defined as [(1) An employee] a person who has a [Hartford] mailing address which is a street address in Hartford, not [A] a post office address; [does not qualify as a bona fide Hartford address;] is, [(2) Be] a registered Hartford voter; and [(3) [if the [employee] person owns a motor vehicle, has registered said motor vehicle [must be registered] at an address in the City of Hartford.

"Residence" is defined as the actual principal residence of the person, where he or she normally and usually eats and sleeps and maintains his or her normal personal household effects.

(B)(C) The provisions of subsections (A) and (B) above shall not apply to individuals who were employees and appointees at the time of the effective date of this section.

(D) The Department of Human Resources shall be responsible for determining and verifying the residence of employees.

This ordinance shall take effect upon adoption.

Introduced by:

THOMAS J. CLARKE II, COUNCILMAN

ITEM#

10

ON AGENDA

HEADING  
AND  
PURPOSE

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

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

February 13, 2018

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

That Chapter 2, Article VI, Division 4, Section 2-352, of the Municipal Code of the City of Hartford be amended as follows:

**Sec. 2-352. - Compensation for nonunion and unclassified executive service classification.**

(A) That there be a new nonunion and unclassified executive service, including elected officials, classification and compensation plan that is authorized under City Charter Chapters IV, V, and VII and new nonunion compensation plan for specified administrative series and public safety series classifications.

(B) The classification and compensation plans have been developed to expand the salary structure and ranges to accommodate future increments that may be necessary to recognize accomplishment, growth, recruitment and/or retainment of qualified individual for these positions.

(C) The compensation plan has been expanded to include four (4) additional classifications: Chief information officer, director of emergency services and telecommunications, director of families, children, youth, and recreation and the City Treasurer.

(D) Effective July 1, 2018, the positions of Fire Chief, Police Chief and City Treasurer shall be paid the same annual rate of pay, which rate shall be fixed and included in the annual budget as approved by the Court of Common Council.

Ordinance shall take effect upon adoption.

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

Introduced by:

HEADING  
AND  
PURPOSE

Minority Leader Wildaluz Bermudez

ITEM# 11 ON AGENDA

AN ORDINANCE AMENDING CHAPTER 29 OF THE HARTFORD MUNICIPAL CODE.

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

January 22, 2018

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

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

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

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

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

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated without the possibility of direct human intervention from within or on the contrivance.

- (b) Except as provided in subsections (c) and (d) of this act or otherwise provided by law, no person, except a person performing his or her duties as a law enforcement officer, shall operate or use any computer software or other technology, including, but not limited to, an unmanned aerial vehicle, that allows a person, when not physically present, to release tear gas or any like or similar deleterious agent or to remotely control a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the general statutes, or an explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the general statutes. Any person who violates this subsection may be issued a municipal citation. A person who is issued a citation shall be subject to a fine of one thousand dollars (\$ 1,000). Any person issued a citation for violating this subsection may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5. This subsection shall be enforced by the Hartford chief of police.
- (c) No person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle, shall operate any such vehicle if such vehicle is equipped with tear gas or any like or similar deleterious agent or a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the Connecticut General Statutes, including, but not limited to, any explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the Connecticut General Statutes. The provisions of this subsection shall not apply to a person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle that is equipped with explosive detection, detonation or disposal equipment, provided such law enforcement officer is authorized by the federal or state government to detect, detonate and dispose of explosives and is engaged in

such detection, detonation or disposal.

(d) No law enforcement officer shall operate an unmanned aerial vehicle, unless:

(1) A judge of the Superior Court or judge trial referee has issued a warrant in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes authorizing the use of an unmanned aerial vehicle;

(2) The individual who will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation, provided such individual is on property that is not owned or operated by a governmental entity that is open for public use, including, but not limited to, parks, streets or sidewalks;

(3) The owner of the property that will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation;

(4) The law enforcement officer has probable cause to believe that a criminal offense has been, is being or will be committed and exigent circumstances exist that make it unreasonable for the law enforcement officer to obtain a warrant authorizing the use of an unmanned aerial vehicle;

(5) The operation is pursuant to training activities conducted by the law enforcement officer while on land owned or leased by the federal or state government and does not occur in an area that is substantially populated; or

(6) The operation is used to reconstruct or document a specific crime or accident scene.

(e) An individual or privately owned property shall be considered to be the subject of information collected by the operation of an unmanned aerial vehicle if the information allows the identity of the person or the privately owned property to be ascertained or if the law enforcement officer operating the unmanned aerial vehicle acknowledges such individual or such property was the subject of the information.

(f) Information that was collected through the operation of an unmanned aerial vehicle that concerns an individual or privately owned property that was the subject of a warrant may be retained pursuant to the warrant.

(g) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2) or (3) of subsection (d) of this section that concerns an individual or privately owned property may be retained pursuant to the terms specified in such advance written consent.

(h) (1) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (4), (5) or (6) of subsection (d) of this section that concerns an individual or privately owned property shall be reviewed by the Hartford department of police not later than thirty days from the date of collection. The collected information shall be destroyed or modified pursuant to subdivision (2) of this subsection or retained pursuant to subdivision (3) of this subsection.

(2) If such information allows the identity of an individual or privately owned property to be ascertained and there is no probable cause to believe that an offense was committed by the individual or on the property, the Hartford department of police (A) shall destroy such information not later than forty-eight hours after such review, or (B) shall permanently modify such information so that the identity of such individual or such property cannot be ascertained, and, after such modification, may retain the modified information for a period of not more than five years from the date of

collection and, after such retention, shall destroy the modified information.

(3) If such information allows the identity of an individual or privately owned property to be ascertained and there is probable cause to believe that an offense was committed by the individual or on the property, the Hartford department of police may retain such information for a period of not more than five years from the date of collection and, after such retention, shall destroy such information, except that, if a warrant is issued in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes of the general statutes based in part on such information, such information may be retained pursuant to the warrant.

(4) No information subject to the provisions of this subsection that is not destroyed, modified or retained in accordance with subdivision (2) or (3) of this subsection, shall be admitted into evidence or otherwise considered by any court or agency, body or committee of this state or any political subdivision thereof.

(i) (1) Not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this section, the Hartford department of police shall adopt and maintain a written policy that meets or exceeds the policies set forth in this section.

(2) Not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this section, the Hartford department of police shall promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to, the collection of the following data: (1) The date the unmanned aerial vehicle was operated, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (1) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) whether the type of information collected through the operation of the unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, and (7) whether an arrest or arrests were made. The unmanned aerial vehicle incident report shall be completed each time an unmanned aerial vehicle is used by a law enforcement officer.

(j) Not later than January thirty-first of each year, the Hartford department of police shall prepare a report that includes, but need not be limited to: (1) The number of times the Hartford department of police operated an unmanned aerial vehicle in the preceding calendar year, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) the number of times the type of information collected through the operation of an unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, and (7) the number of times an arrest was made during or after the operation of an unmanned aerial vehicle in direct response to the operation of an unmanned aerial vehicle by a law enforcement officer. The Hartford department of police shall make such report available on the Hartford department of police's Internet web site not later than January thirty-first of each year.

(k) The Hartford department of police shall make any application to acquire surveillance technology, including, but not limited to, unmanned aerial vehicles, or to acquire funds to purchase surveillance technology, including but not limited to, unmanned aerial vehicles, available for review by the Court of Common Council of the City of Hartford and the public no less than thirty days prior to a public hearing on such application.

. . . . .

Such applications shall include, but not be limited to, applications to acquire surveillance technology from the program authorized by Section 1033 of the National Defense Authorization Act of 1997, and for funds under the Edward Byrne Memorial Justice Assistance Grant program to acquire surveillance technology. The Court of Common Council of the City of Hartford shall hold such public hearing not fewer than thirty days prior to the department's submission of the application and shall provide legal notice, published at least once not less than two weeks prior to such hearing in a newspaper having general circulation in the City of Hartford, of such hearing. Approval of the application by the Court of Common Council of the City of Hartford is required prior to submission of the application.

Ordinance shall take effect upon adoption.

Introduced  
by:

READING  
AND  
PURPOSE

Minority Leader Wildaiz Bermudez  
Councilman Thomas J. Clarke II  
Councilwoman Claudine Fox  
Councilwoman Jo Winch  
Councilman Larry Deutsch

ITBM# 12 ON AGENDA

AN ORDINANCE AMENDING CHAPTER 2 OF THE HARTFORD MUNICIPAL CODE.

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

November 13, 2018

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

That Chapter 2, Article II of the Municipal Code of the City of Hartford be amended, adding Section 2-48 and Section 2-49, as follows:

Section 2-48. Establishing the power of the City Council to protect city residents.

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

Discriminatory shall mean (1) disparate treatment of any individual(s) because of any real or perceived traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Connecticut, or the City Charter or any law of the City of Hartford, or because of their association with such individual(s), or (2) disparate impact on any such individual(s) having traits, characteristics, or status described in subsection (1).

Disparate impact shall mean an adverse effect that is disproportionately experienced by individual(s) having any traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Connecticut, or the City Charter or any law of the City of Hartford than by similarly situated individual(s) not having such traits, characteristics, or status.

Municipal entity shall mean any municipal government, agency, department, bureau, division, or unit of this city.

Surveillance data shall mean any electronic data collected, captured, recorded, retained, processed, intercepted, analyzed, or shared by surveillance technology.

Surveillance technology shall mean any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal,

biometric, or similar information or communications specifically associated with, or capable of being associated with, any specific individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

1. Surveillance technology includes, but is not limited to: (a) unmanned aerial vehicles; (b) international mobile subscriber identity (IMSI) catchers and other cell site simulators; (c) automatic license plate readers; (d) electronic toll readers; (e) closed-circuit television cameras; (f) biometric surveillance technology, including facial, voice, iris, and gait-recognition software and databases; (g) mobile DNA capture technology; (h) gunshot detection and location hardware and services; (i) x-ray vans; (j) video and audio monitoring and/or recording technology, such as surveillance cameras, wide-angle cameras, and wearable body cameras; (k) surveillance enabled or capable lightbulbs or light fixtures; (l) tools, including software and hardware, used to gain unauthorized access to a computer, computer service, or computer network; (m) social media monitoring software; (n) through-the-wall radar or similar imaging technology; (o) passive scanners of radio networks; (p) long-range Bluetooth and other wireless-scanning devices; (q) radio-frequency I.D. (RFID) scanners; and (r) software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software. The enumeration of surveillance technology examples in this subsection shall not be interpreted as an endorsement or approval of their use by any municipal entity.
  
2. Surveillance technology does not include the following devices or hardware, unless they have been equipped with, or are modified to become or include, a surveillance technology as defined in subsection (a): (a) routine office hardware, such as televisions, computers, and printers, that is in widespread public use and will not be used for any surveillance or surveillance-related functions; (b) Parking Ticket Devices (PTDs); (c) manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is limited to manually capturing and manually downloading video and/or audio recordings; (d) surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles; (e) municipal agency databases that do not and will not contain any data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by surveillance technology; and (f) manually-operated technological devices that are used primarily for internal municipal entity communications and are not designed to surreptitiously collect surveillance data, such as radios and email systems.

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated without the possibility of direct human intervention from within or on the contrivance.

Viewpoint-based shall mean targeted at any community or group or its members because of their exercise of rights protected under the First Amendment of the United States Constitution.



(b) A municipal entity must obtain City Council approval, subsequent to a mandatory, properly-noticed, germane, public City Council hearing at which the public is afforded a fair and adequate opportunity to provide written and oral testimony, prior to engaging in any of the following:

1. Seeking funds for new surveillance technology, including but not limited to applying for a grant, or soliciting or accepting state or federal funds or in-kind or other donations;
2. Acquiring or borrowing new surveillance technology, whether or not that acquisition is made through the exchange of monies or other consideration;
3. Using new or existing surveillance technology for a purpose or in a manner not previously approved by the City Council in accordance with this ordinance, including the sharing of surveillance data therefrom; or
4. Soliciting proposals for or entering into an agreement with any other person or entity to acquire, share or otherwise use surveillance technology or surveillance data.

If City Council does not hold a public hearing regarding a municipal entity's request to engage in the aforementioned actions within one hundred and twenty (120) days of the municipal entity commencing the process of seeking City Council approval, the City Council's inaction shall be deemed a rejection of the proposal. City Council may request additional information from a municipal entity at any point before giving approval.

(c) To commence the process of seeking City Council approval, pursuant to subsection (b), to fund, acquire, or use surveillance technology or to enter into an agreement concerning such funding, acquisition, or use, a municipal entity shall submit to the City Council and make publicly available a Surveillance Impact Report and Surveillance Use Policy concerning the technology at issue.

1. No use of surveillance technology by a municipal entity pursuant to subsection (b) shall be permitted without the City Council's express approval of the related Surveillance Impact Report and Surveillance Use Policy submitted by the municipal entity pursuant to subsection (c).
2. Use of an unmanned aerial vehicle management platform may be used by a municipal entity to provide rapid deployment software for unmanned aerial vehicles and track relevant unmanned aerial vehicle flight data for use in the Surveillance Impact Report and Surveillance Use Policy.
3. Prior to approving or rejecting a Surveillance Impact Report or Surveillance Use Policy submitted pursuant to subsection (c), the City Council may request revisions be made by the submitting municipal entity.

(d) Surveillance Impact Report: A Surveillance Impact Report submitted pursuant to subsection (c) shall be a publicly-released, legally enforceable written report that

includes, at a minimum, the following:

1. Information describing the surveillance technology and how it works, including product descriptions from manufacturers;
  2. Information on the proposed purpose(s) of the surveillance technology;
  3. If the surveillance technology will not be uniformly deployed or targeted throughout the city, information concerning the factors will be used to determine where, when and how the technology is deployed or targeted;
  4. Results and information gathered with unmanned aerial vehicle Management Software on unmanned aerial vehicle flight data;
  5. The fiscal impact of the surveillance technology; and
  6. An assessment identifying with specificity:
    - A. Any potential adverse impacts the surveillance technology, if deployed, might have on civil rights, civil liberties, and individuals privacy; and
    - B. What specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts identified pursuant to subsection (d)(5)(A).
- (e) Surveillance Use Policy: A Surveillance Use Policy submitted pursuant to subsection (c) shall be a publicly-released, legally enforceable written policy governing the municipal entity's use of the surveillance technology that, at a minimum, includes and addresses the following:
1. Purpose: What specific purpose(s) the surveillance technology is intended to advance.
  2. Authorized Use: For what specific capabilities and uses of the surveillance technology is authorization being sought, and
    - A. What legal and procedural rules will govern each authorized use;
    - B. What potential uses of the surveillance technology will be expressly prohibited, such as the warrantless surveillance of public events and gatherings and warrantless surveillance at or near venues that house children under the age of eighteen, such as schools, playgrounds, day care centers or group homes; and
    - C. How and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the surveillance technology be analyzed and reviewed.

3. Data Collection:

- A. What types of surveillance data will be collected, captured, recorded, intercepted, or retained by the surveillance technology;
- B. What surveillance data may be inadvertently collected during the authorized uses of the surveillance technology, and what measures will be taken to minimize the inadvertent collection of data; and
- C. How inadvertently collected surveillance data will be expeditiously identified and deleted. Any inadvertently collected surveillance data containing the identity of children under eighteen should be immediately deleted absent a youth being specifically listed in an authorized warrant. In the case of a warrant specifically listing a youth, the identity of other children and youth under eighteen must be protected.

4. Data Protection: What safeguards will be used to protect surveillance data from unauthorized access, including encryption and access control mechanisms,

5. Data Retention: Insofar as the privacy of the public can be severely compromised by the long-term storage of mass surveillance data, what rules and procedures will govern the retention of surveillance data, including those governing:

A. For what limited time period, if any, surveillance data will be retained. Such information shall include a statement explaining why the designated retention period is no greater than that which is absolutely necessary to achieve the specific purpose(s) enumerated in the Surveillance Use Policy;

B. What specific conditions must be met to retain surveillance data beyond the retention period stated in subsection (e)(5)(A); and

C. By what process surveillance data will be regularly deleted after the retention period stated in subsection (e)(5)(A) elapses and what auditing procedures will be implemented to ensure data is not improperly retained.

6. Surveillance Data Sharing: If a municipal entity is seeking authorization to share access to surveillance technology or surveillance data with any other governmental agencies, departments, bureaus, divisions, or units, it shall detail:

A. How it will require that the collection, retention, and storage of surveillance data be conducted in compliance with the principles set forth in 28 C.F.R. Part 23, including but not limited to 28 C.F.R. Part 23.20(a), which states that a government entity operating a surveillance program "shall collect and maintain criminal intelligence information concerning an individual only if there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity."

B. Which governmental agencies, departments, bureaus, divisions, or units

will be approved for (i) surveillance technology sharing, and for (ii) surveillance data sharing;

- C. How such sharing is necessary for the stated purpose and use of the surveillance technology, including any unmanned aerial vehicle management platform utilized;
- D. How it will ensure any entity's sharing access to the surveillance technology or surveillance data complies with the applicable Surveillance Use Policy and does not further disclose the surveillance data to unauthorized persons and entities; and
- E. What processes will be used to seek approval of future surveillance technology or surveillance data sharing agreements from the municipal entity and City Council.

- 7. Demands for Access to Surveillance Data: What legal standard must be met by government entities or third parties seeking or demanding access to surveillance data.
- 8. Auditing and Oversight: What mechanisms will be implemented to ensure the Surveillance Use Policy is followed, including what independent persons or entities will be given oversight authority, and what legally enforceable sanctions will be put in place for violations of the policy.
- 9. Complaints: What procedures will be put in place by which members of the public can register complaints or concerns, or submit questions about the deployment or use of a specific surveillance technology, and how the municipal entity will ensure each question and complaint is responded to in a timely manner.
- 10. Children and Youth: What specific procedures shall be employed to ensure that the confidentiality and privacy rights of children and youth under the age of eighteen are not violated.

(f) No later than one hundred twenty (120) days following the effective date of this ordinance, any municipal entity seeking to continue the use of any surveillance technology that was in use prior to the effective date of this ordinance, or the sharing of surveillance data therefrom, must commence a City Council approval process in accordance with subsection (b). If the City Council has not approved the continuing use of the surveillance technology, including the Surveillance Impact Report and Surveillance Use Policy submitted pursuant to subsection (c), within one hundred eighty (180) days of their submission to the City Council, the municipal entity shall cease its use of the surveillance technology and the sharing of surveillance data therefrom until such time as City Council approval is obtained in accordance with this ordinance.

(g) If more than one municipal entity will have access to the surveillance technology or surveillance data, a lead municipal entity shall be identified. The lead municipal entity shall be responsible for maintaining the surveillance technology and ensuring compliance with all related laws, regulations and protocols.

(h) The City Council shall only approve a request to fund, acquire, or use a surveillance technology if it determines the benefits of the surveillance technology outweigh its costs, that the proposal will safeguard civil liberties and civil rights, and that the uses and deployments of the surveillance technology will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or group. To assist the public in participating in such an analysis, all approved Surveillance Impact Reports and Surveillance Use Policies shall be made available to the public, at a designated page on the relevant municipal entity's public website, for as long as the related surveillance technology remains in use. An approval for the funding, acquisition and/or use of a surveillance technology by the City Council, where the risk of potential adverse impacts on civil liberties or civil rights has been identified in the Surveillance Impact Report pursuant to subsection (d)(5)(A), shall not be interpreted as an acquiescence to such impacts, but rather as an acknowledgement that a risk of such impacts exists and must be affirmatively avoided.

(i) A municipal entity that obtains approval for the use of a surveillance technology must submit to the City Council, and make available on its public website, an Annual Surveillance Report for each specific surveillance technology used by the municipal entity within twelve (12) months of City Council approval, and annually thereafter on or before March 15. The Annual Surveillance Report shall, at a minimum, include the following information for the previous calendar year:

1. A summary of how the surveillance technology was used; drone flight data as recorded through any drone management platform utilized;
2. Whether and how often collected surveillance data was shared with any external persons or entities, the name(s) of any recipient person or entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s);
3. Where applicable, a breakdown of where the surveillance technology was deployed geographically, by individual census tract as defined in the relevant year by the United States Census Bureau, and whether the surveillance took place at or near a venue likely to house children and youth (such as a school, park, daycare center, community center, or the like). For each census tract, the municipal entity shall report how many individual days the surveillance technology was deployed and what percentage of those daily-reported deployments were subject to (A) a warrant, and (B) a non-warrant form of court authorization;
4. Where applicable, and with the greatest precision that is reasonably practicable, the amount of time the surveillance technology was used to monitor Internet activity, the number of people affected, including the number of children and youth under the age of eighteen, and what percentage of the reported monitoring was subject to (A) a warrant, and (B) a non-warrant form of court authorization;
5. A summary of complaints or concerns that were received about the surveillance technology;
6. The results of any internal audits, any information about violations of the

Surveillance Use Policy, and any actions taken in response;

7. An analysis of any discriminatory, disparate, and other adverse impacts the use of the technology may have had on the public's civil liberties and civil rights, including but not limited to those guaranteed by the First, Fourth, and Fourteenth Amendments to the United States Constitution; and
  8. Total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (j) Within thirty (30) days of submitting and publicly releasing an Annual Surveillance Report pursuant to subsection (i), the municipal entity shall hold one or more well-publicized and conveniently located community engagement meetings at which the general public is invited to discuss and ask questions regarding the Annual Surveillance Report and the municipal agency's use of surveillance technologies.
- (k) The City Council shall review each Annual Surveillance Report within three (3) months of its submission. Based upon information provided by the unmanned aerial vehicle management platform, if one is utilized, and in the Annual Surveillance Report, the City Council shall determine whether each surveillance technology identified in response to subsection (i), as used by the report-submitting entity, has met the standard for approval set forth in subsection (h) and, if not, whether the use of the surveillance technology shall be discontinued or if City Council will require modifications to the Surveillance Use Policy that will resolve the observed failures. These determinations shall be made by a majority vote of City Council members at the next City Council meeting, at which there is quorum, after the date the review of the report is required. The president or majority leader of City Council shall then direct the Hartford Corporation Counsel's Office to send a letter, within seven (7) days of City Council's vote, to the municipal entity notifying the entity that it may continue to use the surveillance technology, it shall discontinue the use of the surveillance technology, or it shall make modifications to the Surveillance Use Policy that will resolve the observed failures.
- (l) Not later than January 31 of each year, the City Council or its appointed designee shall release an annual public report, in print and on its public website, containing the following information for the preceding calendar year:
1. The number of requests for approval submitted to the City Council under this ordinance for the funding, acquisition, or new use of surveillance technology;
  2. The number of times the City Council approved requests submitted under this ordinance for the funding, acquisition, or new use of surveillance technology;
  3. The number of times the City Council rejected requests submitted under this ordinance for the funding, acquisition, or new use of surveillance technology;
  4. The number of times the City Council requested modifications be made to Surveillance Impact Reports and Surveillance Use Policies before approving the funding, acquisition, or new use of surveillance technology; and

5. All Annual Surveillance Reports submitted pursuant to subsection (i). Printed copies of the public report may contain pinpoint references to online locations where the Annual Surveillance Reports are located, in lieu of reprinting the full reports.
6. Data provided through any unmanned aerial vehicle management platform utilized, including but not limited to flight logs, number of deployments, and equipment maintenance.

- (m) Municipal employees or agents, except in response to a declared municipal, state, or federal state of emergency, shall not use any surveillance technology except in a manner consistent with policies approved pursuant to the terms of this ordinance, and may in no circumstances utilize surveillance technology in a manner which is discriminatory, viewpoint-based, or violates the City Charter, State Constitution, or United States Constitution. Any municipal employee who violates the provisions of this ordinance, or any implementing rule or regulation, may be subject to disciplinary proceedings and punishment. Any violation of the provisions of this ordinance shall be noted in the employee's human resources record.
- (n) No municipal entity or anyone acting on behalf of a municipal entity may take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment, including but not limited to discriminating with respect to compensation, terms, conditions, access to information, restrictions on due process rights, privileges of employment, or civil or criminal liability, because the employee or applicant was perceived to, about to, or assisted in any lawful disclosure of information concerning the funding, acquisition, or use of a surveillance technology or surveillance data to any relevant municipal agency, municipal law enforcement, prosecutorial, or investigatory office, or City Council Member, based upon a good faith belief that the disclosure evidenced a violation of this ordinance.
- (o) It shall be unlawful for the city or any municipal entity to enter into any contract or other agreement that conflicts with the provisions of this ordinance, and any conflicting provisions in such contracts or agreements, including but not limited to non-disclosure agreements, shall be deemed void and legally unenforceable. Conflicting provisions in contracts or agreements signed prior to the enactment of this ordinance shall be deemed void and legally unenforceable to the extent permitted by law. This section shall not apply to collective bargaining agreements and related memorandums of agreement or understanding that pre-date this ordinance.
- (p) It shall be unlawful for the city or any municipal entity to enter into any contract or other agreement that facilitates the receipt of surveillance data from, or provision of surveillance data to any non-governmental entity in exchange for any monetary or any other form of consideration from any source, including the assessment of any additional fees, interest, or surcharges on unpaid fines or debts. Any contracts or agreements signed prior to the enactment of this ordinance that violate this section shall be terminated as soon as is legally permissible.
- (q) The provisions in this ordinance are severable. If any part or provision of this

ordinance, or the application of this ordinance to any person or circumstance, is held invalid, the remainder of this ordinance, including the application of such part or provisions to other persons or circumstances, shall not be affected by such holding and shall continue to have force and effect.

(r) This ordinance shall take effect upon adoption.

Section 2-49. Use of unmanned aerial vehicles by City employees.

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

Employee means any person employed by the City in any capacity whether elected or appointed, whether as a classified employee, unclassified employee, or on a contractual basis, permanent or temporary, full-time or part-time and all employees of the board of education. Employee also includes any person employed by any City department, office or agency, and any person, whether appointed or under contract, who provides services for the City, or any other political subdivision of the City for which a pension is provided.

Employee of the Hartford Fire Department means the fire chief, fire marshal, and the officers and members of the Hartford Fire Department.

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

Municipal entity shall mean any municipal government, agency, department, bureau, division, or unit of this City.

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated remotely or without the possibility of direct human intervention from within or on the contrivance.

- (b) Except as provided in subsections (c) and (d) of this act or otherwise provided by law, no person, except a person performing his or her duties as a law enforcement officer, shall operate or use any computer software or other technology, including, but not limited to, an unmanned aerial vehicle, that allows a person, when not physically present, to release tear gas or any like or similar deleterious agent or to remotely control a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the general statutes, or an explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the general statutes. Any person who violates this subsection may be issued a municipal citation. A person who is issued a citation shall be subject to a fine of one thousand dollars (\$1,000). Any person issued a citation for violating this subsection may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5 of the City Charter. This subsection shall be enforced by the Hartford chief of police.
- (c) No person who, as part of his or her duties as a City employee, operates an unmanned aerial vehicle, shall operate any such vehicle if such vehicle is equipped with tear gas or any like or similar deleterious agent or a deadly weapon, as defined in Chapter 950



Sec. 53a-3 of the Connecticut General Statutes, including, but not limited to, any explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the Connecticut General Statutes. The provisions of this subsection shall not apply to a person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle that is equipped with explosive detection, detonation or disposal equipment, provided such law enforcement officer is authorized by the federal or state government to detect, detonate and dispose of explosives and is engaged in such detection, detonation or disposal.

(d) No City employee shall operate an unmanned aerial vehicle, unless:

(1) The City employee is a law enforcement officer; and

- A. A judge of the Superior Court or judge trial referee has issued a warrant in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes authorizing the use of an unmanned aerial vehicle; or
- B. The law enforcement officer has probable cause to believe that a criminal offense has been, is being or will be committed and exigent circumstances exist that make it unreasonable for the law enforcement officer to obtain a warrant authorizing the use of an unmanned aerial vehicle.

(i) The Hartford Police Department must provide the City Council with a credible risk report within thirty (30) days in all incidences involving the operation of an unmanned aerial vehicle due to an exigent circumstance exemption. A credible risk report shall include the date the Hartford Police Department operated an unmanned aerial vehicle without a warrant; the facts leading the law enforcement officer to have probable cause to believe that a criminal offense was committed, was being committed, or would be committed; the facts the law enforcement officer relied upon to determine that exigent circumstances existed; and a narrative that offers the law enforcement officer's justification for using an unmanned aerial vehicle without a warrant; and unmanned aerial vehicle flight data.

(2) The City employee is a law enforcement officer, employee of the Hartford Fire Department, or a designated employee of the Hartford City Tax Collector's Office; and

- A. The operation is pursuant to training activities conducted by the employee while on land owned or leased by the federal or state government and does not occur in an area that is substantially populated;
- B. The operation is used to reconstruct or document a specific crime or accident scene, motor vehicle accident, or hazardous materials accident;
- C. The operation is used to assist and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations; or
- D. The operation is used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving

missing person investigations, AMBER Alerts, and Silver Alerts; or

E. The operation is used to take photos of property for the purposes of assessing the value of real property for local real estate taxation purposes.

(3) The individual who will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation, provided such individual is on property that is not owned or operated by a governmental entity that is open for public use, including, but not limited to, parks, streets or sidewalks.

(4) The owner of the property that will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation.

(5) Any public event that has filed for a permit with the City of Hartford has requested public safety assistance and has over ten thousand (10,000) registered event participants.

(A) Event promoters and organizers must notify all registered participants at least one (1) day in advance of the event that the City of Hartford will deploy unmanned aerial vehicles during the event to surveil the public.

(6) Operation of an unmanned aerial vehicle shall not take place at or near venues that house children under the age of eighteen, such as schools, playgrounds, day care centers, or group homes unless there is a warrant for a specific individual. In the event that there is a warrant, steps must be taken to protect the confidentiality of all other individuals under the age of eighteen.

(7) The operation will not be used to replace a member of the civil service sector.

(e) An individual or privately owned property shall be considered to be the subject of information collected by the operation of an unmanned aerial vehicle if the information allows the identity of the person or information concerning parts of private property not visible from public property, to be ascertained or if the City employee operating the unmanned aerial vehicle acknowledges such individual or such property was the subject of the information.

(f) Information that was collected through the operation of an unmanned aerial vehicle that concerns an individual or privately owned property that was the subject of a warrant may be retained pursuant to the warrant.

(g) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (3) or (4) of subsection (d) of this section that concerns an individual or privately owned property may be retained pursuant to the terms specified in such advance written consent.

(h) (1) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (1)(B), (2)(A), (2)(B), (2)(C), (2)(D), (2)(E) or (5) of subsection (d) of this section that concerns an individual or privately owned property shall be reviewed by the municipal entity that operated the unmanned

aerial vehicle not later than thirty (30) days from the date of collection. The collected information shall be destroyed or modified pursuant to subdivision (2) of this subsection or retained pursuant to subdivision (3) of this subsection.

(2) If such information allows the identity of an individual or privately owned property to be ascertained and there is no probable cause to believe that an offense was committed by the individual or on the property, the municipal entity (A) shall destroy such information not later than forty-eight (48) hours after such review, or (B) shall permanently modify such information so that the identity of such individual or such property cannot be ascertained, and, after such modification, may retain the modified information for a period of not more than five (5) years from the date of collection and, after such retention, shall destroy the modified information.

(3) If such information was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (1)(B), (2)(A), (2)(B), (2)(C), (2)(D), or (5) of subsection (d) of this section and allows the identity of an individual or privately owned property to be ascertained and there is probable cause to believe that an offense was committed by the individual or on the property, the municipal entity may retain such information for a period of not more than five (5) years from the date of collection and, after such retention, shall destroy such information, except that, if a warrant is issued in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes of the general statutes based in part on such information, such information may be retained pursuant to the warrant. If such information was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2)(E) and allows the identity of an individual or privately owned property to be ascertained, the municipal entity (A) shall destroy such information not later than forty-eight (48) hours after its review, or (B) shall permanently modify such information so that the identity of such individual or such property cannot be ascertained, and, after such modification, may retain the modified information for a period of not more than five (5) years from the date of collection and, after such retention, shall destroy the modified information. Information collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2)(E) shall not be used in the prosecution of a crime.

(4) No municipal entity or City employee shall, by using facial recognition software, appearance similarity video synopsis software, or any similar technology, analyze information that was collected through the operation of an unmanned aerial vehicle.

(i) Not later than ninety (90) days after the Court of Common Council of the City of Hartford's adoption of this section, each municipal entity shall adopt and maintain a written policy that meets the policies set forth in this section. Each municipal entity's policy shall require all City employees who operate unmanned aerial vehicles to complete a Federal Aviation Administration approved training program to ensure proper use and operations. Prior to deploying or operating an unmanned aerial vehicle, each municipal entity shall obtain all applicable authorizations, permits, and/or certifications required by the Federal Aviation Administration, and these authorizations, permits, and certificates shall be maintained and current, as required by the Small Unmanned Aircraft Systems federal regulations, C.F.R. § T. 14, Ch. I, Subch. F, Pt. 107.

(i) Not later than ninety (90) days after the Court of Common Council of the City of Hartford's adoption of this section, the City of Hartford Corporation Counsel's office

will make accessible a standard incident report form for all applicable municipal entities, to promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to, the collection of the following data: (1) The date the unmanned aerial vehicle was operated, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) whether the type of information collected through the operation of the unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed or had been, and (7) whether an arrest or arrests were made. The unmanned aerial vehicle incident report shall be completed, within seven (7) days of a City employee's use of an unmanned aerial vehicle, each time an unmanned aerial vehicle is used by a City employee. One hundred and eighty (180) days after the adoption of this section, a municipal entity that completed any unmanned aerial vehicle incident reports subsequent to the adoption of this section shall submit those reports to the City Council. After the first submission of reports one hundred and eighty (180) days after the adoption of this section, a municipal entity that completed any unmanned aerial vehicle incident reports since its last submission of reports to the City Council shall submit those reports to the City Council on March 15, June 15, September 15, and December 15 of each year. In addition to these biannually reports (every six months), a municipal entity that has completed any unmanned aerial vehicle incident reports subsequent to the adoption of this section shall provide, within seven (7) days, individual or multiple incident reports to the City Council if requested to do so by a City Council member.

- (k) Each municipal entity that operates unmanned aerial vehicles must include in its Annual Surveillance Report, as required by subsection (i) of Section 2-48 of the City Charter, a report that includes, but need not be limited to: (1) The number of times the municipal entity operated an unmanned aerial vehicle in the preceding calendar year, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) the number of times the type of information collected through the operation of an unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, (7) the number of times an arrest was made during or after the operation of an unmanned aerial vehicle in direct response to the operation of an unmanned aerial vehicle by a City employee, (8) whether the unmanned aerial vehicle was used to assist in and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations, (9) whether the unmanned aerial vehicle was used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving missing person investigations, AMBER Alerts, and Silver Alerts, (10) all credible risk reports for all incidents under which an unmanned aerial vehicle was operated due to exigent circumstances, and (11) whether the public was given notice for each incident in which a city agency operated a unmanned aerial vehicle.
- (l) Required liability insurance for unmanned aerial vehicles will be purchased by the City of Hartford, in accordance with state law, federal law, and any applicable regulations.
- (m) This ordinance shall take effect upon adoption.

Introduced by: James Sánchez, Majority Leader

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2 OF THE MUNICIPAL CODE OF HARTFORD

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

November 13, 2018

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

That Chapter 2 of the Municipal Code of Hartford be amended, adding Article XXIII, Section 2-938, as follows:

ARTICLE XXIII. - DRONES

Sec: 2-938. -- Drone Use by Police and Fire Departments.

Not later than ninety (90) days from the date of the enactment of this ordinance, the City of Hartford Police Department and the City of Hartford Fire Department shall each promulgate a written policy governing the use of drones in the respective operations of their respective departments. The aforementioned policies shall be promulgated solely in accordance with applicable State and Federal rules, laws, codes, regulations, rulings, requirements, policies and orders, and, with the exception of this ordinance, and to the extent allowed by law, to the exclusion of any and all municipal laws. The aforementioned City of Hartford departments shall use drones in their respective operations in strict compliance with the respective written policies promulgated hereunder and solely in accordance with applicable State and Federal rules, laws, codes, regulations, rulings, requirements, policies and orders, and, with the exception of this ordinance, and to the extent allowed by law, to the exclusion of any and all municipal laws. As used herein, the term "drone," or language of similar import, shall be construed to apply to any Unmanned Aircraft System as the same is defined by Federal law. As used herein, the term "operations" shall be construed to apply to the ordinary and/or necessary activities of the department in question, including, but not limited to, the recording and storage of images and/or sounds. Where this ordinance and any other City of Hartford ordinance deal with the same subject matter, this ordinance shall prevail, to the exclusion of the other ordinance, so far as they conflict.

This ordinance shall take effect upon enactment.

# Court of Common Council

ITEM#

14

ON AGENDA

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Legislative Affairs Committee*

*John Q. Gale, Chair*

*James Sanchez*

*Maly D. Rosado*

*Larry Deutsch*

*Claudine Fox*

Glendowlyn L. H. Thames, Council President  
James Sánchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman  
Larry Deutsch, Councilman  
Claudine Fox, Councilwoman  
Maly D. Rosado, Councilwoman  
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## REPORT

November 26, 2018

Honorable Glendowlyn L. H. Thames, Council President  
City of Hartford  
550 Main Street, Room 208  
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on November 14, 2018 at 5:30 pm in Council Chambers. Present were John Q. Gale and Majority Leader Councilman James Sanchez.

The following action was taken:

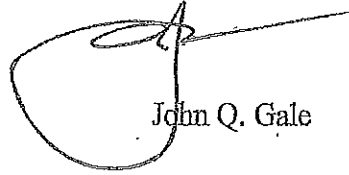
Motion by Councilman Gale and seconded by Councilman Sanchez to send the following Agenda item back to Council with a favorable recommendation:

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

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

Gale - yes  
Sanchez - yes  
Deutsch - absent  
Fox - absent  
Rosado - absent

Your chair,

A handwritten signature in black ink, appearing to be 'John Q. Gale', written over a printed name. The signature is stylized with a large loop and a horizontal line extending to the right.

John Q. Gale

INTRODUCED BY:  
Councilman James Sanchez

COURT OF COMMON COUNCIL  
City of Hartford, April 23, 2018

WHEREAS, The City has recently accepted funds from the Connecticut Department of Economic and Community Development (DECD). These funds have been allocated to the Police Department's Capital City Crime Center (C4). A portion of these funds will allow the C4 to purchase two (2) unmanned aircraft systems (drones) that will be used to limit police pursuits, assist police in apprehending fleeing criminals, and provide both surveillance and traffic calming measures for large scale events such as, but not limited to, parades, marathons, and festivals; and

WHEREAS, Drones will help decrease City liability by reducing the need for police vehicles to be involved in police pursuits. Drones will also be capable of following ATVs and dirt bikes so that location information can be provided to officers in the area once the vehicle(s) have stopped and the operators can be detained safely; now, therefore, be it

RESOLVED, That not later than ninety days after the Court of Common Council of the City of Hartford's approval of this resolution, the Hartford Police Department shall adopt and maintain a written policy that shall be consistent with both Federal and State of Connecticut statutes, protections afforded under the United States Constitution and State of Connecticut Constitution, relevant case law, and National best practices. Such policy shall be designed to protect citizens' civil rights and their right to privacy. In the interest of transparency, this policy will be posted on the Police Department's web site for public viewing; and be it further

RESOLVED, That not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this resolution, the Hartford Police Department shall promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to: the flight time; the reason for the flight, the time, date, and location of the flight; the name of the supervisor approving the deployment as well as the staff assigned to the deployment; and a summary of the activities covered, actions taken, and outcomes from the deployment; and be it further

RESOLVED, That not later than January thirty-first of each year, the Hartford Police Department shall prepare an annual report summarizing the information contained in each unmanned aerial vehicle incident report form. This annual report shall be available not later than January thirty-first of each year; and be it further

RESOLVED, That the Court of Common Council approves the regulations governing the use of unmanned aerial vehicles by the Hartford Police Department in accordance with the processes recommended by this resolution.





ITEM# 15 ON AGENDA

**Luke A. Bronin**  
Mayor

April 8, 2019

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Parking Violation Citations and Fines**

Dear Council President Thames,

Attached for your consideration, please find a proposed amendment to Sections 22-25 and 22-26 of the Municipal Code, which address parking violation citations and the fines and penalties for unlawful parking.

The amendment in section 22-25 updates and more accurately defines the content of the parking violation citations issued by the Hartford Parking Authority. The amendment in section 22-26 adds a parking violation to address situations where cars move from one parking zone to another without paying the differential cost. The Hartford Parking Authority is happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke Bronin  
Mayor

550 Main Street  
Hartford, Connecticut 06103  
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Introduced by: Mayor Luke A. Bronin

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 22 OF THE MUNICIPAL CODE  
OF HARTFORD

COURT OF COMMON COUNCIL  
CITY OF HARTFORD

April 8, 2019

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

That Chapter 22, Article II, Parking, Stopping and Standing, of the Municipal Code be amended as follows:

Chapter 22 -- Motor Vehicles and Traffic

ARTICLE II. - Parking, Stopping and Standing

Division 1. - Generally

Sec. 22-25. - [Notice] Citation to be attached to violating vehicles; penalty.

- (a) Whenever any vehicle is found parked in violation of any of the provisions of this article or any ordinance or rule or regulation of the traffic or parking authority which relates to parking, a police officer, parking controller or parking enforcement officer shall attach to such vehicle a [notice] citation with an accompanying fine to the owner or operator thereof stating that such vehicle has been parked unlawfully.
- (b) The [notice] citation shall state which provision of the city ordinances or rule and regulation of the traffic or parking authority has been violated and shall moreover, contain the following declaration:

“WARNING”

"The accumulation of three (3) or more unsatisfied municipal vehicle parking citations upon any vehicle registrant may result in the impoundment or immobilization of said vehicle."

A copy of any such [notice] citation shall be transmitted and delivered to the parking authority [within three (3) business days of the time of such attachment]. Failure of any copy to be so transmitted and delivered shall not relieve the owner or operator from any liability for the payment of any fines or penalties, except that no penalties shall be imposed until after a citation hearing has been scheduled and the owner or operator fails to appear at the same. Upon such failure, imposition of such penalties may be implemented on a retroactive basis.

- (c) Each owner or operator may, within seventy-two (72) hours or three (3) business days of the time when such [notice] citation is attached to such vehicle, pay in person in the form of cash, money order or check to the parking authority, in full satisfaction for such violation; provided, if the citations are for over the posted limit or over the limit at a meter, such owner or operator shall receive a five dollar (\$5.00) reduction in the amount of the stated fines for each such citation. Each such owner or operator may, within fourteen (14) days of the time when such notice is attached to such vehicle, pay in person or remit by mail in the form of cash, money

order or check to the parking authority, as a fine for and in full satisfaction of such violation, the sum of twenty-five dollars (\$25.00), thirty dollars (\$30.00), forty-five dollars (\$45.00), seventy-five dollars (\$75.00), ninety-nine dollars (\$99.00), one hundred dollars (\$100.00), or one hundred twenty-five dollars (\$125.00), as the case may be, in accordance with section 22-26. The failure of the owner or operator to make payment to the parking authority within the fourteen (14) days of the time such [notice] citation is attached to such vehicle shall cause the parking authority to schedule a citation hearing for the hearing date generated on the citation. [mail a letter setting forth a date such owner or operator shall appear at a citation hearing]. The failure of such owner or operator to appear at such citation hearing or to make such payment within twenty-six (26) days of the time such notice is so attached shall render the owner or operator liable to an initial penalty as provided in section 22-26. The failure of such owner or operator to make such payment within thirty-one (31) days of the time such notice is so attached shall render the owner or operator liable to an additional penalty as provided in section 22-26.

- (d) If an owner or operator wishes to contest a violation, no reduction in the amount of the fine, as set forth in subsection (c), will apply. The owner or operator may contest the violation by appearing at the citation hearing. Such appearance shall suspend the accumulation of additional penalties and leave the amount of the fine as it was as of the date of the hearing until such time as a final determination is made.
- (e) Nothing contained in this section shall be construed as a limitation on the power of the superior court to impose a fine as provided in section [1-4] 1-5.
- (f) For purposes of this section, the term "*business days*" shall mean those days on which the city hall offices of the City of Hartford, Connecticut are open for business, and the term "*days*" shall mean calendar days.

(Code 1977, § 32-21; Ord. No. 16-80, 8-12-80; Ord. No. 6-82, 2-22-82; Ord. No. 63-88, § 1, 10-11-88; Ord. No. 25-92, 6-8-92; Ord. No. 22-09, 5-26-09; Ord. No. 12-17, 3-27-17)

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

- (a) Definitions: For purposes of this section, and unless otherwise specified, the definition of terms contained in title 14, chapter 246, section 14-1 and 14-260n of the Connecticut General Statutes shall govern this section. For purposes of this section the words "park" and "parked" shall mean to leave a vehicle stationary.
- (b) The fine shall be twenty-five dollars (\$25.00), with an initial penalty of thirty-eight dollars (\$38.00) and an additional penalty of thirty-eight dollars (\$38.00), for any vehicle to be and/or remain parked:
  - (1) During a state of emergency following public notice of the declaration of such emergency, on private property without the permission of the owner, for a period of time and in such a condition as to constitute a nuisance, or otherwise in violation of state or local parking order, regulations or restrictions;
  - (2) For a period exceeding a posted duration or restriction or otherwise allowable by law;
  - (3) For a period exceeding the authorized time duration purchased at any parking meter;
  - (4) In violation of the posted parking regulation; [or]
  - (5) Over the legal limit at any parking meter by making additional payment to extend the authorized parking time where restricted according to the posted parking regulation[.]; or

(6) In any space or area that is demarcated for a specific parking meter zone, and to not utilize the appropriate parking meter zone designation to park.

- (c) The fine shall be thirty dollars (\$30.00) and the vehicle subject to removal at the owner's expense, with an initial penalty of forty-three dollars (\$43.00) and an additional penalty of forty-three dollars (\$43.00), for parking:
- (1) A distance greater than twelve (12) inches from a curb, measured from the vehicle's passenger side wheels; or
  - (2) Within twenty-five (25) feet of an intersection or a marked crosswalk thereat, or within twenty-five feet of a stop sign erected by the traffic authority.
- (d) The fine shall be forty-five dollars (\$45.00) and the vehicle subject to removal at the owner's expense, with an initial penalty of thirty-eight dollars (\$38.00) and an additional penalty of forty-two dollars (\$42.00), for parking:
- (1) On the wrong side of a street or facing opposite traffic;
  - (2) In a no-parking area, tow zone or the odd/even side of a street according to the posted days;
  - (3) In a marked bus stop;
  - (4) In a no standing area;
  - (5) In a loading zone;
  - (6) Within five (5) feet of or obstructing a driveway or curb cut;
  - (7) In a vending space;
  - (8) By a vendor in an unauthorized vending space;
  - (9) By trespassing on private property;
  - (10) While unlawfully repairing a motor vehicle within any city street or on public property;  
or
  - (11) So as to block a park entrance;
  - (12) Non-payment of the meter parking; or
  - (13) Parked over the line (marked boundary) of a parking space.
- (e) The fine shall be seventy-five dollars (\$75.00) and subject to removal at owner's expenses, with an initial penalty of twenty-three dollars (\$23.00) and an additional penalty of twenty-seven dollars (\$27.00), for parking:
- (1) Within ten (10) feet of a hydrant;
  - (2) In violation of fire and park rules and regulations;
  - (3) On or obstructing a sidewalk;
  - (4) On or obstructing a crosswalk;
  - (5) So as to double park;
  - (6) Within or obstructing an intersection;
  - (7) So as to impede or obstruct pedestrian or vehicular traffic;

- (8) On any property between the street line and traveled portion of any street.
- (f) The fine shall be one hundred dollars (\$100.00) and the vehicle subject to removal at owner's expense, with an initial penalty of thirteen dollars (\$13.00) and an additional penalty of thirteen dollars (\$13.00), for parking:
- (1) In any area that is demarcated or otherwise designated a temporary no-parking area to allow the removal of snow or ice; or
  - (2) In violation of zoning ordinances; or
  - (3) Any tractor, tractor-trailer, semi-trailer, truck, or commercial vehicle combination on any city street(s) for more than three (3) hours, except for the purpose of delivery or service taking less than eight (8) hours; [or]
  - (4) A trailer or semi-trailer on any street or arterial highway unattached to a motor vehicle, tractor or truck-tractor capable of towing it, except for the purpose of delivery or service while loading or unloading at off-street platforms; or
  - (5) Recreational vehicles, as defined in G.S. § 14-1, between the hours of 11:00 p.m. and 6:00 a.m.
- (g) The fine shall be one hundred twenty-five dollars (\$125.00) and the vehicle subject to removal at the owner's expense, with an initial penalty of thirteen dollars (\$13.00) and an additional penalty of thirteen dollars (\$13.00), for parking by an unauthorized person in a parking space designated for the handicapped and so marked.
- (1) By an unauthorized person in a parking space designated for the handicapped and so marked.

(Code 1977, § 32-22; Ord. No. 17-80, 8-12-80; Ord. No. 19-81, 7-15-81; Ord. No. 29-81, 12-14-81; Ord. No. 34-84, 10-9-84; Ord. No. 16-86, 6-9-86; Ord. No. 64-88, 10-11-88; Ord. No. 31-91, 6-10-91; Ord. No. 24-92, 5-12-92; Ord. No. 16-01, 11-26-01; Ord. No. 22-09, 5-26-09; Ord. No. 07-13, 8-12-13; Ord. No. 06-16, 6-27-16)

**Editor's note**— Ord. No. 22-09, adopted May 26, 2009 amended § 22-26 as herein set out. Former § 22-26 pertained to penalties for unlawful parking. See the Code Comparative Table for complete derivation.



**Luke A. Bronin**  
Mayor

April 8, 2019

Honorable Glendowlyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: HUD Year Five Annual Action Plan**

Dear Council President Thames,

Attached for your consideration is a resolution approving and authorizing the submission of the City of Hartford's Year Five Annual Action Plan (FY 2019-20) for use of Federal Entitlement Grant Funds administered by the U.S. Department of Housing and Urban Development (HUD). Also attached is the proposed allocation of funds in Year Five of the plan.

The Year Five Annual Action Plan outlines the City's intended use of approximately \$7.3 million for activities funded through the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. These activities support specific priority needs and objectives identified in the City of Hartford Five Year Consolidated Community Development Plan which covers the period from July 1, 2015 through June 30, 2020. As a condition of receipt of these Federal Entitlement Grant Funds, each fiscal year the City is required to prepare and submit to HUD its Annual Action Plan.

The Year Five Annual Action Plan was developed in accordance with the City's Citizen Participation Plan which includes two public hearings, several community meetings, and a 30-day comment period that solicits citizen feedback in areas such as Housing, Economic Development, and Public Service. A special public hearing is scheduled for Thursday, April 18, 2019 from 5:00 PM to 8:00 PM in Council Chambers regarding recommended funding allocations under the Year Five Annual Action Plan. Residents, community-based organizations, and other interested parties will be invited to attend.

Due to recent guidance from HUD shortening the deadline for submission of the Annual Action Plan, we respectfully request that the Council adopt the Year Five Annual Action plan no later than the May 13, 2019 Council meeting in order to allow for timely preparation and submission of the plan to HUD, and for timely notification of agencies awarded funding for the fiscal year commencing July 1, 2019.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

SUBSTITUTE

INTRODUCED BY:  
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL  
City of Hartford, May 13, 2019

WHEREAS, The City of Hartford must complete and submit to the U.S. Department of Housing and Urban Development (HUD) its Year Five Annual Action Plan for the period July 1, 2019 through June 30, 2020, in order to receive entitlement funds under the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs, and

WHEREAS, The Year Five Annual Action Plan outlines the City's intended use of approximately \$7.3 million in HUD entitlement funds and program income, including approximately \$4.4 million in CDBG, \$280 thousand in ESG, \$1.2 million in HOPWA, and \$1.5 million in HOME funding for activities and programs that support specific priority needs and objectives identified in the City of Hartford's Five Year Consolidated Community Development Plan (2015-2020), and

WHEREAS, The Year Five Annual Action Plan was developed according to HUD's approved Citizen Participation Plan, which included two public hearings, several community meetings and a 30-day comment period that solicits citizen feedback on the needs of the community in areas such as Housing, Economic Development, and Public Service, now, therefore, be it

RESOLVED, That the following activities and allocations of funds are approved and incorporated into the Year Five Annual Action Plan:

Year Five Annual Action Plan July 1, 2019 – June 30, 2020 Proposed Activities and Allocations	
<b>COMMUNITY DEVELOPMENT BLOCK GRANT</b>	
ORGANIZATION/ DEPARTMENT	AMOUNT
<b>PUBLIC SERVICES</b>	
ActUp Theater Inc. - ActUp Youth Performing Arts Program	\$9,000.00
Blue Hills Civic Assoc. - Blue Hills Youth Education Enrichment Program	\$14,000.00
Bright Futures - After School Program	\$4,000.00
Center for Urban Research, Education and Training Inc. - Youth Development	\$22,500.00
Charter Oak Boxing & Youth Development Program Inc. - Moving Forward: Hartford Youth Become Champions of Life!	\$32,000.00
Charter Oak Temple Restoration Association Inc. - Youth Arts Institute	\$25,000.00
Children In Placement - Youth Sponsorship	\$9,000.00
City of Hartford / Health and Human Services (CAN Shelter Support Services)	\$75,000.00
Community Partners in Action - The Resettlement Program	\$77,000.00
Center for Latino Progress (CPRF) - BiCi Co.	\$9,000.00
Cultural Dance Troupe of the West Indies Inc. - Hartford Youth on the Rise	\$4,000.00
Ebony Horsewomen Inc. - Equine Assisted Growth Learning and Therapy	\$4,000.00
Gifted Onez Inc. (The) - TGO MLK	\$14,000.00
Greater Hartford Harm Reduction Coalition Inc. - 557 The Drop	\$22,000.00
HARC Inc. - Capable Kids Six-Week Summer Camp	\$8,000.00
Hartbeat Ensemble Inc. - Youth Play Institute	\$5,000.00
Hartford Artisans Weaving Center - Artisan Program	\$5,000.00
Hartford Food System Inc. - Grow Hartford Youth Program	\$5,000.00
Hartford Knights - Hartford Knights Back on Track	\$8,000.00
Hartford Performs - Arts Based Programs	\$16,000.00

Hartford's Camp Courant - 2019 Camp Courant Camperships	\$20,000.00
Hispanic Health Council Inc. - Neighborhood Youth Center	\$15,000.00
Judy Dworin Performance Project Inc. - Moving Matters!	\$6,527.80
Keney Park Sustainability Project - Micro-Enterprise Development Program	\$20,000.00
Knox Inc. - Green Jobs Apprenticeships	\$22,000.00
Lukumi Center of the Orishas Inc. Dancing The Drums	\$4,000.00
Mercy Housing and Shelter Corporation - Jumpstart to Jobs Program	\$11,000.00
Open Hearth Association (The) - Shelter and Rehousing Program	\$31,000.00
Organized Parents Make a Difference Inc. - OPMAD After School Program	\$9,000.00
San Juan Center Inc. - Employment-Economic Development	\$10,000.00
Spectrum in Motion Dance Theater Ensemble - Instruments of Culture	\$4,000.00
Urban League of Greater Hartford - Housing Counseling Program	\$21,705.00
YMCA of Metropolitan Hartford Inc. - YMCA Teen Incentive Program	\$10,000.00
YWCA of New Britain - The Hartford Sexual Assault Crisis Service	\$6,000.00
Youth Challenge of CT, Inc. - Men's Home	\$9,000.00
<b>SUBTOTAL PUBLIC SERVICES</b>	<b>\$566,732.80</b>
<b>ADMINISTRATION</b>	
<b>SUBTOTAL, ADMINISTRATION</b>	<b>\$762,310.40</b>
<b>OTHER ELIGIBLE ACTIVITIES (NON-PUBLIC SERVICE)</b>	
City of Hartford / Development Services (HPLF Staffing)	\$384,000.00
City of Hartford / Development Services (HPLF Program Income)	\$368,000.00
City of Hartford / Development Services (HPLF New Programming)	\$292,000.00
City of Hartford / Development Services (Blight Remediation)	\$215,000.00
City of Hartford / Development Services (Economic Development Staffing)	\$28,608.00
City of Hartford / Development Services (Microgrant Initiative)	\$150,000.00
City of Hartford / Development Services (Local Arts & Culture)	\$65,000.00
City of Hartford / Development Services (Low Income Rental Housing Coordination)	\$50,000.00
City of Hartford / Development Services (Carousel)	\$50,000.00
City of Hartford / Fire Department (Fire Protection Equipment)	\$200,000.00
City of Hartford / Health and Human Services (Emergency Placement Services)	\$259,995.47
Billings Forge Community Works Inc. - Culinary Job Training at the Kitchen	\$40,119.00
Hands on Hartford - Culinary Collaborative	\$35,000.00
HEDCO Inc. - Merchants Association Small Business Loan Fund, Business Resource Center and Small Business Development Program	\$160,000.00
International Hartford LTD. - Business Consulting	\$50,000.00
Journey Home Inc. - Career Pathways to Employment Program	\$35,274.00
Minority Construction Council Inc. - Small Contractors/Minority Woman Business Enterprise Technical Assistance Program	\$70,000.00
Rebuilding Together Hartford Inc. - Homeowner Retention	\$170,000.00
Riverfront Recapture - Riverfront Parks & Trailers	\$138,473.00
Sheldon Oak Center - Vine/Albany Commercial Seed Program	\$18,300.00
Spanish American Merchants Assoc. - Small Business Technical Assistance Program	\$160,000.00
University of Hartford, Entrepreneurial Center & Women's Business Center - Hartford Small Business Technical Assistance	\$70,000.00
University of Hartford, Upper Albany Main Street - Micro Business Incubator Program	\$50,712.00
<b>SUBTOTAL OTHER ELIGIBLE ACTIVITIES</b>	<b>\$3,060,481.47</b>
<b>GRAND TOTAL, COMMUNITY DEVELOPMENT BLOCK GRANT</b>	<b>\$4,389,524.67</b>



<b>EMERGENCY SOLUTIONS GRANT (ESG)</b>	
<b>ORGANIZATION</b>	<b>AMOUNT</b>
<b>SHELTER</b>	
City of Hartford McKinney Shelter	\$29,514.67
Hartford Interval House Inc.	\$13,821.65
Immacare	\$27,392.11
Mercy Housing and Shelter Corp. (St. Elizabeth)	\$13,000.00
Open Hearth	\$22,729.69
Salvation Army	\$13,941.06
South Park Inn	\$32,248.80
YWCA Hartford Region	\$9,242.96
<b>SUBTOTAL, SHELTER</b>	<b>\$161,890.94</b>
<b>PREVENTION</b>	
City of Hartford / Health and Human Services - Homelessness Prevention/Rapid Rehousing	\$107,972.27
<b>SUBTOTAL, PREVENTION</b>	<b>\$107,972.27</b>
<b>ADMINISTRATION</b>	
Administration	\$9,787.79
<b>SUBTOTAL, ADMINISTRATION</b>	<b>\$9,787.79</b>
<b>GRAND TOTAL, EMERGENCY SOLUTIONS GRANT</b>	<b>\$279,651.00</b>

<b>HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)</b>	
<b>ORGANIZATION</b>	<b>AMOUNT</b>
AIDS CT. Inc.	\$130,535.00
Chrysalis Center/Hartford	\$155,000.00
Chrysalis Center/St. Philip House	\$90,000.00
Hands on Hartford	\$315,780.00
Human Resources Agency of New Britain (HRA)	\$187,000.00
Mercy Housing and Shelter Corp.	\$132,000.00
Zezzo House Corporation	\$109,761.00
City of Hartford - DIG Extension	\$18,000.00
City of Hartford - Administration	\$34,425.00
<b>GRAND TOTAL, HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)</b>	<b>\$1,172,501.00</b>

<b>HOME INVESTMENT PARTNERSHIP PROGRAM</b>	
<b>ORGANIZATION</b>	<b>AMOUNT</b>
Set-aside for Community Housing Development Organizations (CHDOs) - 15%	\$194,329.95
Set-aside for homebuyer assistance, and rehabilitation/new construction of residential properties for homeownership or rental housing or any combination thereof - 75%	\$971,649.75
Program Administration - 10% of HOME Entitlement allocation	\$129,553.30
Program Administration - 10% of \$230,000 in anticipated Program Income	\$23,000.00
HOME Program Income - 90% of \$230,000 in anticipated Program Income - (For Activity)	\$207,000.00
<b>GRAND TOTAL, HOME INVESTMENT PARTNERSHIP PROGRAM</b>	<b>\$1,525,533.00</b>

<b>GRAND TOTAL, ALL HUD ENTITLEMENT</b>	<b>\$7,367,209.67</b>
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and be it further

**RESOLVED**, That the Court of Common Council authorizes the Mayor to submit the Year Five Annual Action Plan to HUD for approval and release of funds, and be it further

**RESOLVED**, That the Court of Common Council designates the Mayor as the City's authorized representative and further authorizes him to take all steps necessary to implement the Year Five Annual Action Plan, and be it further

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

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

**RESOLVED**, That the Mayor is authorized in the event of any adjustments by HUD in the award(s) of Entitlement Funds in CDBG, HOME, ESG, and/or HOPWA, from the amounts on which the herein authorized allocations are based, to take all steps necessary to further implement the Year Five Annual Action Plan, first by ensuring all planned public and non-public service municipal functions continue without resort to increased expenditure of general funds, and then by adjustment of awards proportionally, across all subrecipients within the subject program (e.g., CDBG, ESG, HOPWA, HOME etc.), for the duration of the affected fiscal year or until all funds under each subrecipient contract, or any extension(s) thereof, have been expended in furtherance of the Year Five Annual Action Plan, and be it further

**RESOLVED**, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreement or other documents, or to take any of the aforesaid actions, and be it further

**RESOLVED**, That all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the Mayor executing such agreements and documents, reallocating unexpended funds between existing line items within a 25% variance according to the City's evolving priority needs and objectives, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

Introduced by:

Councilwoman Maly Rosado  
Councilman John Q. Gale  
Councilwoman rJo Winch  
Councilman T.J. Clarke II  
Majority Leader James Sanchez  
Council President Glendowlyn L.H. Thames

ITEM# 17 ON AGENDA

HEADING  
AND  
PURPOSE

**AN ORDINANCE ENACTING ARTICLE VII OF CHAPTER 17 ("Environmental Stewardship – Plastic Bags") OF THE MUNICIPAL CODE OF HARTFORD**

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

April 22, 2019

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

That Chapter 17 of the Municipal code of Hartford be amended to include the following:

**ARTICLE VII – ENVIRONMENTAL STEWARDSHIP – PLASTIC BAGS**

**Sec. 17-167. – Generally.**

This Article shall be known and referred to as the "City of Hartford Plastic Bag Ordinance."

**Sec. 17-168. – Background.**

The City of Hartford (the "City") has shown leadership in initiatives that result in a positive impact on our environment. Consequently, the City now seeks to protect its and other waterways, including, but not limited to, the Connecticut River, local streams, Long Island Sound and ultimately the oceans, and reduce the volume and toxicity of waste materials in the solid waste stream that are directed to resource recovery and sanitary landfill facilities.

Single-use plastic carryout bags pollute, among other places, our local streams and rivers, disintegrate into smaller bits that contaminate soil and waterways, and enter into the food supply of humans, animals and aquatic life. In the United States alone, the production of single-use plastic carryout bags requires the use of more than twelve million barrels of crude oil per year, which, in and of itself, has a significant negative environmental impact.

**Sec. 17-169. – Purpose.**

The intent of this Article is to advance the environmental stewardship of the City through the Climate Action Plan, by improving and protecting the built and natural environment in Hartford, Connecticut, by encouraging the use of reusable bags and banning the use of certain plastic bags.

**Sec. 17-170. – Findings.**

Single-use plastic carryout bags have a significant negative impact on the environment. Their use

contributes to: the potential death of wildlife and livestock through ingestion and entanglement; pollution of both land and marine environments; increased burdens for solid waste collection and recycling facilities; clogging of storm drainage and sewer systems; and the creation of unsightly litter. Production of single-use plastic carryout bags requires the use of oil, a non-renewable resource. Many chemicals in plastic products are now known to cause harm. Plastic bags also last hundreds of years in landfills and are not biodegradable. Across the globe, many countries have taken steps in recent years to address the growing problem of plastic waste – including plastic bags. In the United States, single-use plastic bags have been banned entirely in California, New York, Hawaii, Puerto Rico and over two hundred municipalities in twenty states. Creating such a ban in Hartford would reduce waste and environmental impact.

**Sec. 17-171. – Definitions.**

Terms used in this Article shall be construed as follows, unless another meaning is expressed or is clearly apparent from the language or context:

*Biodegradable paper bag* means a paper bag that can be broken down by bacteria into carbon dioxide, water, and biomass within a reasonable amount of time in a natural environment.

*Checkout bag* means a carryout bag that is provided to the customer at the point of sale.

*Covered sales* means the transfer to a customer of goods, merchandise, materials, and/or services in exchange for payment occurring at a retail facility or food establishment.

*Food Establishment* means those establishments, in Hartford, defined in section 14-2 of this Code.

*Gross floor area* has the same meaning as the definition in the zoning regulations, or if the zoning regulations do not define gross floor area, then the sum of all gross horizontal areas of a building under the roof, measured from the exterior faces of the exterior walls (and from the center lines of party walls), including basement space where 1/2 of the basement height is above the finished lot grade average along the exterior walls of the building; elevators and stairwells on each floor; attic space with headroom of more than seven (7) feet; and enclosed porches, interior balconies and mezzanines, and penthouses; and excluding floor space using mechanical equipment used in the operation and maintenance of a building and floor space devoted to parking space(s) or parking facilities.

*Post-consumer recycled content* means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. “Post-consumer recycled content” does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.

*Produce bag* means a flexible bag made of very thin plastic material, with a maximum thickness of .75 mils, with a single opening that is used to contain produce, meats, or other items selected by the customer at the point of sale.

*Recyclable paper bag* means a paper bag that has the following characteristics: contains no old growth fiber; is one hundred (100) percent recyclable overall and contains a minimum of forty

(40) percent post-consumer recycled content; and displays the words “reusable” and “recyclable” on the outside of the bag.

Retail facility means any facility, in Hartford, that is in any way involved in the sale and/or provision of goods, merchandise, materials and/or services to the general public for personal and/or household consumption, including, but not limited to, retail stores, sidewalk sales, farmers' markets, flea markets, pharmacies, grocery stores, and convenience stores. It excludes residences where one or more resident(s) has/have organized yard sales, tag sales, political fundraisers, or similar activities.

Reusable bag means a bag with handles that is specifically designed and manufactured:

- a. For multiple reuses; and
- b. Is made of cloth or other fabric; and/or durable plastic at least 3 mils thick; and/or any other comparable material; and
- c. Has a minimum lifetime of one hundred twenty-five (125) uses.

Single-use plastic carryout bag means a checkout bag made predominantly or entirely of plastic, with a minimum thickness of 0.76 mils and a maximum thickness of 3.0 mils, that is provided to a customer at the point of sale and intended for the single-use transport of any purchased products and/or items. The term “single-use plastic carryout bag” does not include the following: produce bags; reusable bags; or plastic bags measuring twenty-eight (28) inches by thirty-six (36) inches or larger in size.

#### **Sec. 17-172. – Restriction on Single-Use Plastic Carryout Bags.**

- (a) Beginning one hundred and eighty (180) days following the effective date of this Article, single-use plastic carryout bags shall not be distributed, used, or sold as checkout bags or for other purposes at food establishments or retail facilities with eight thousand (8,000) square feet of gross floor area or more.
- (b) Beginning three hundred and sixty-five (365) days following the effective date of this Article, single-use plastic carryout bags shall not be distributed, used, or sold as checkout bags or for other purposes at food establishments or retail facilities with less than eight thousand (8,000) square feet of gross floor area.
- (c) All recyclable paper bags and/or biodegradable paper bags provided to customers at the point of sale at retail facilities shall be sold at a cost of not less than ten (10) cents per bag. The foregoing requirement concerning a minimum charge shall not be applicable to the extent that it would violate any Federal or State law(s).
- (d) Nothing in this Article shall preclude persons engaged in covered sales from making available or selling reusable bags to customers.

#### **Sec. 17-173. – Enforcement, Violations, Fines/Penalties, and Appeals.**

The City’s Department of Health and Human Services (the “Department”) is hereby empowered and authorized to enforce the provisions and requirements of this Article in accordance with the applicable provisions of Section 1-5 of this Code. Violation of the requirements in this Article may be subject to the fines/penalties set forth in this section.

- (a) If the Department determines that a violation of this Article has occurred, the Department may issue a written warning notice to the relevant food establishment or retail facility for

- the violation with an order to cease and desist from the activity that is the basis of the violation within a reasonable amount of time, as determined by the Department.
- (b) If the Department subsequently determines that, despite the issuance of the written warning notice and cease and desist order, the violation continues, the Department may issue a citation to and impose a fine/penalty on and against the relevant food establishment or retail facility.
  - (c) For each violation that occurs after the issuance of the written warning notice and cease and desist order, the fine/penalty imposed by the Department shall be two hundred and fifty dollars (\$250), and each day in which the violation continues shall constitute a separate and distinct violation for which the fine/penalty imposed shall be \$250 per day.
  - (d) Appeals may be made pursuant to the applicable provisions of Section 1-5 of this Code.
  - (e) Without limiting any of the foregoing, the Department is hereby empowered and authorized to request that the City take any legal action to enforce this Article, including, but not limited to, the collection of any fines/penalties, which legal action, prior to its initiation, must first be deemed to be appropriate and in the best interests of the City by the City's Office of the Corporation Counsel.

**Sec. 17-174. – Severability.**

The provisions of this Article are hereby declared severable, and if any provision, clause, sentence, or paragraph in this Article, or the application thereof, to any person(s) or circumstance(s) is held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such a ruling shall not affect the other parts of this Article that can be given effect.

**Sec. 17-175. – Effective Date.**

This Article shall take effect upon adoption.

Introduced by: Mayor Bronia

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV, DIVISION 4, SECTION 2-352 OF THE HARTFORD MUNICIPAL CODE ESTABLISHING THE ANNUAL SALARY FOR THE CITY TREASURER

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

April 15, 2019

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

That Chapter 2, Article VI, Division 4, Section 2-352, of the Municipal Code of the City of Hartford be amended as follows:

- (A) That there be a new nonunion and unclassified executive service classification and compensation plan that is authorized under City Charter Chapters IV, V, and VII and new nonunion compensation plan for specified administrative series and public safety series classifications.
- (B) The compensation plans have been developed to expand the salary structure and ranges to accommodate future increments that may be necessary to recognize growth, recruit and/or retain qualified individual for these positions.
- (C) The nonunion and unclassified executive service classification and compensation plan have been expanded to include three (3) additional classifications: Chief information officer, director of emergency services and telecommunications and director of families, children, youth, and recreation.
- (D) Effective January 1, 2020, and in accordance with the provisions of Chapter IV, Sec. 7(a) of the Charter, the salary of the City Treasurer shall be set at \$156,800 annually.

Introduced by:

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER VI, SECTION 2-350 OF THE  
HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

April 22, 2019

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

That Chapter VI, Section 2-350, of the Municipal Code of the City of Hartford, the pay plan fixing the salary ranges for those existing non-union and unclassified positions of the City of Hartford that are not within the executive service classification, adopted, as amended, by the Court of Common Council on January 23, 1961, is hereby further amended per Section 2-350 (D) of the Human Resources Ordinance passed on August 8, 2005, as follows:

Any step salary schedules will be replaced with minimum-maximum schedules, and the maximum salary of each of the existing non-union and unclassified positions of the City of Hartford that are not within the executive service classification will be increased by two percent (2%), effective July 1, 2019.

Active, employees occupying non-union or unclassified positions that are not within the executive service classification on the date of approval of this ordinance who have completed at least four (4) years of service with the City of Hartford as of June 30, 2019, will receive a two percent (2%) general wage increase effective July 1, 2019.

Active, employees occupying non-union or unclassified positions that are not within the executive service classification on the date of approval of this ordinance who complete four (4) years of service during the period beginning July 1, 2019 through December 31, 2019 will receive a two percent (2%) general wage increase effective January 1, 2020.

Active, employees occupying non-union or unclassified positions that are not within the executive service classification on the date of approval of this ordinance who complete four (4) years of service with the City of Hartford during the period beginning January 1, 2020 through June 30, 2020 will receive a two percent (2%) general wage increase on July 1, 2020.

Each and every classification in this ordinance and pay range(s) related thereto may be treated as a separate ordinance by the Court of Common Council and may be separated, amended or enacted as a single ordinance or may be enacted as a part of this whole ordinance.

This ordinance shall take effect upon adoption.





ITEM# 20 ON AGENDA

Luke A. Bronin  
Mayor

March 25, 2019

Honorable Glendowyn L.H. Thames, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Capital Gateway Transit-Oriented Development Concept Plan**

Dear Council President Thames,

Attached for your consideration is a resolution regarding the adoption of the City of Hartford Capital Gateway Transit-Oriented Development Concept Plan.

As you may be aware, the federal government, along with the Connecticut Department of Transportation, has initiated a planning process for the replacement of the I-84 viaduct. As part of the planning process, the City has initiated its own studies of the ways in which development opportunities can be maximized.

The Capital Gateway Transit-Oriented Development Concept Plan before you reflects a vision for maximizing the development potential presented by the I-84 project, particularly in the areas between Flower Street and Union Station, and weaving together Asylum Hill, Frog Hollow, and Downtown, which for too long have been separated by the significant physical barrier of I-84. The Concept Plan is intended to guide federal, State, and City decision-makers by identifying preferred infrastructure design elements, setting forth a development vision for the area, and suggesting implementation strategies.

The Planning & Zoning Commission recommended adoption of the City of Hartford Capital Gateway Master Plan after a thorough review and a public hearing at its regular meeting on March 12, 2019. To ensure it is afforded all of the weight of a formal City plan, the Capital Gateway Transit-Oriented Development Concept Plan must be approved by the Court of Common Council. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, March 25, 2019

**WHEREAS,** The Connecticut Department of Transportation has initiated a planning process for the replacement of the I-84 viaduct in Hartford; and

**WHEREAS,** As part of the planning process, the City has initiated its own studies of the ways in which development opportunities can be maximized; and

**WHEREAS,** The Capital Gateway Transit Oriented Development Concept Plan presents a vision for maximizing development potential presented by the I-84 project; and

**WHEREAS,** The Planning & Zoning Commission (the "Commission") is charged with developing and making recommendations on City plans; and

**WHEREAS,** The Commission met on March 12, 2019 and after a thorough review and a public hearing recommended that the Court of Common Council adopt as a formal City plan the Capital Gateway Transit-Oriented Development Concept Plan; and

**WHEREAS,** The Capital Gateway Transit-Oriented Development Concept Plan reflects a vision for maximizing the development potential presented by the I-84 project, particularly in the areas between Flower Street and the downtown train station, and weaving together Asylum Hill, Frog Hollow, and Downtown; and

**WHEREAS,** Plan is intended to guide federal, State, and City decision-makers by identifying preferred infrastructure design elements, setting forth a development vision for the area, and suggesting implementation strategies (including financing solutions); now, therefore, be it

**RESOLVED,** That the Court of Common Council hereby adopts as a formal City plan the City of Hartford Capital Gateway Transit-Oriented Development Concept Plan.



**Luke A. Bronin**  
Mayor

April 22, 2019

Honorable Glendowlyn L.H. Thames, President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Sidewalk Repair and Improvement Grant**

Dear Council President Thames,

Attached for your consideration is a resolution that would authorize the City to accept a \$5,000,000 Urban Act Grant from the State of Connecticut Department of Economic and Community Development to implement a citywide sidewalk repair and improvement project.

The Department of Development Services and Department of Public Works will be working collaboratively to move the project forward, and they are happy to answer any questions you may have.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
**City of Hartford, April 22, 2019**

WHEREAS, the City of Hartford has been awarded a \$5,000,000 Urban Act Grant from the State of Connecticut Department of Economic and Community Development to implement a sidewalk repair and improvement project; now, therefore, be it

RESOLVED, that the Mayor is authorized to accept \$5,000,000 in funding from the State of Connecticut Department of Economic and Community Development to implement a Citywide Streetscape Improvement project for the repair and/or replacement of sidewalks at various locations within the City; and be it further

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

RESOLVED, that no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreement or other documents, or to take any of the other aforesaid actions, and be it further

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



ITEM # 22 ON AGENDA

Luke A. Bronin  
Mayor

May 28, 2019

Honorable Glendowlyn Thames, Council President  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Housing Code Revisions**

Dear Council President Thames,

Attached for your consideration is a draft ordinance that repeals and replaces housing-related provisions in city ordinance with an entirely new, streamlined, and innovative Housing Code.

It is important to recognize that much of Hartford's housing stock is old and in poor condition, and that the adoption of a new Code cannot legislate away the very real, practical and costly challenges to improving the overall quality of housing. However, by clarifying both Code requirements and the City's enforcement authority, I believe this Code will provide us with important tools for promoting better quality housing, over time, for Hartford residents.

Among other things, the new Housing Code aims to: enact citywide standards for clean, safe, and habitable housing; improve indoor air quality, with a goal of reducing asthma and symptoms of allergies, and minimizing the presence of toxic levels of lead; empower city officials to inspect properties to assess compliance; clarify the scope of enforcement authority; align the Code with zoning regulations adopted by the Planning and Zoning Commission; and promote environmentally sustainable practices.

To achieve these goals, the new Housing Code consolidates, expands, and clarifies existing provisions for rooming houses and group living facilities. For the first time, the proposed Code allows the city to license and regulate hotels. Perhaps most significantly, the proposed Code requires apartment buildings with three or more units to be licensed on a four-year cycle, providing the opportunity for periodic, predictable inspections for the health and safety of occupants.

The proposed Code sets forth general provisions that are common to all housing, and other provisions that are specific to the four types of housing regulated in the Code (dwellings, hotels, group living facilities, and rooming houses). Some of these provisions, like ensuring light and air and maintaining walls and foundations in good repair, are fairly common among communities. Other provisions are less common and are tailored to our community's specific needs. For example, this proposed Code allows the City to impose violations for failure to address bulky waste or provide recycling bins. In addition, to help improve our voter registration rate, the Code requires (as does the current Chapter 18) voter registration cards be given to every new adult occupant of a housing unit.

In addition, this proposed Housing Code seeks, to the extent possible, to address concerns regarding environmental hazards and public health. For the first time, the proposed Housing Code sets forth specific requirements for housing owners with regard to lead paint. Consistent with state law, it requires landlords to allow tenants to make energy conservation improvements. It also requires owners to obtain inspection reports of heating facilities each time they renew a license. The Code establishes landscaping maintenance requirements, promoting healthy trees while prohibiting plants that cause human health concerns. If adopted, it will be one of the few housing codes in the country to specifically address mold, imposing liability on owners to remediate visible or known mold in accordance with State Department of Health recommended measures.

The Housing Code also makes it easier for the city to bring violators to justice. It seeks to address the issue of property ownership schemes that obscure the identities of responsible parties, by requiring information submitted in any application to include the name of a responsible human being, including a copy of a driver's license, even if the owner is a limited liability company, a corporation, or a trust. In addition, the Housing Code imposes the maximum fine of \$1,000 for failure to truthfully list a residential address.

For the first time, the process and criteria for suspending or revoking licenses are clearly delineated. Once a violation is found, Article IX of the Code outlines several consequences, ranging from fines to liens to judicial action and condemnation. For every fine available to be imposed, the Housing Code adopts the maximum fine available to it under State law. Moreover, the Code requires an additional fine for each and every violation and for each and every day the violation continues. Article X deals with appeals, should someone object to an order.

At the same time, the Housing Code seeks to be sensitive to the needs of the owners and operators of residential property. It waives fees for certificates of apartment occupancy and certifies apartments for occupancy when property owners obtain a valid license. Licensing fees can be significantly reduced if an owner elects to use a self-certification process, once such process is established by the city. The overall fees for apartment owners will in many cases likely remain about the same, because the new residential licensing program will spread fees over a four-year period. For example, for a building of 20 units, the proposed licensing fee would be \$1,075, and if the building exceeds the licensing standards, no additional certificate of apartment occupancy would be required for four years. By contrast, current city ordinance requires that apartment owners obtain certificates of apartment occupancy, costing \$25, every time a unit is vacated. Over four years, assuming that 10 of the units are vacated each year, the owner would currently be required to pay \$1,000 in certificate of apartment occupancy fees.

The owner of a building of 5 units would be paying \$260 for the proposed four-year licensing period, while under the current code, assuming that the 5 units turn over biannually, the same property owner is required to pay \$250 over a four-year period. Similarly, the fees for rooming houses will remain the same. On the other hand, hotels and group living dwellings, which have not been regulated (other than rehabilitation homes) will see fees where no fees have previously been imposed.

The Code also protects owners in that it contains a section devoted to the responsibilities of occupants, who may also be held liable under the code for violations affecting the health, safety and comfort of other residents. Overall, and over time, the Code will benefit the owners of housing by promoting improved housing quality, which will in turn improve property values that safeguard the investment property owners have made in the city.

Finally, and importantly, the Housing Code will be clearer and easier to administer. To ensure that we are making sound decisions, the application process will become more rigorous, closing loopholes used by property owners seeking to hide their identities and requiring various certificates, reports, and proof of insurance. To ensure city staff can implement the changes, the requirements for apartment buildings and group living facilities will be phased in over a four-year period. To bring new revenues to the city, the Code will impose licensing fees more consistent with other Connecticut cities, including Stamford and New Haven.

Thank you for your consideration of this proposal. The quality of housing in Hartford has a profound effect on the quality of life of our residents. As with any proposal, there will be ample opportunity to review, discuss and amend these proposed revisions as this proposal moves through the legislative process. We look forward to working with you to enact a Code that is more clear, more enforceable, and more effective than our current ordinance.

Respectfully submitted,



Luke A. Bronin  
Mayor

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

Introduced  
by:

Luke A. Bronin, Mayor

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 24, CHAPTER 30, AND  
CHAPTER 18 OF THE MUNICIPAL CODE OF HARTFORD TO CREATE  
THE HOUSING CODE ("HOUSING CODE")

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

May 28, 2019

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

That Chapter 24-9 and Chapter 30 of the Municipal Code of Hartford shall be repealed, Chapter 18 of the Municipal Code shall be deleted in its entirety and in its place is substituted the following:

Chapter 18 – HOUSING

ARTICLE I. GENERALLY

Sec. 18-1. – Title.

This chapter shall be known and referred to as the "Housing Code of the City of Hartford."

Sec. 18-2. – Purpose

The purpose of this chapter is to promote the public health, safety, and general welfare with respect to housing in the city of Hartford by achieving all of the following:

- A. Enacting citywide standards for clean, safe, and habitable housing to, among other things, improve indoor air quality, prevent asthma, reduce symptoms of allergies, and minimize the presence of toxic levels of lead.
- B. Empowering city officials to inspect properties to assess compliance.
- C. Clarifying the scope of enforcement authority.
- D. Aligning city ordinance with zoning regulations adopted by the planning and zoning commission.
- E. Promoting sustainable practices.
- F. Streamlining for usability and readability.

**Sec. 18-3. – Definitions.**

- A. Whenever the words “building,” “dwelling,” “dwelling unit,” “rooming house,” “rooming unit,” “hotel,” “hotel unit,” “premises,” and “structure” are used in this chapter, they shall be construed as if they were followed by the words “or any part thereof.”
- B. Except as otherwise provided, the following definitions shall apply in the interpretation and enforcement of this chapter:

Accessory structure means a detached structure (including a building) detached from, but located on the same lot as, a principal structure.

Approved means approved by the local or state authority having administrative authority.

Attic means any story situated wholly or partly within the roof, so designed, arranged or built as to be used for business, storage or habitation.

Authorized agent means an executor, executrix, administrator, administratrix, trustee, conservator, or guardian of the estate, or other individual or entity who is legally authorized to serve as the agent of a third party through a written, executed, unrevoked power of attorney, court order, or other document type acceptable to the director of licenses and inspections, and who is legally bound, through such document, to comply with the provisions of this chapter and the rules and regulations adopted pursuant thereto to the same extent as if he or she were the owner.



Basement means a story of a building located partly underground and having at least half of its height above ground.

Bathroom means a room or group of connected rooms, containing the equipment, fixtures, and materials identified in section 18-61G of this code.

Bed and breakfast has the definition in the zoning regulations

Cellar means a story of a building located partly or wholly underground and having half or more of its height below the level of the grade.

Director of health means the legally designated health authority of the city or his or her designee.

Director of licenses and inspections means the individual leading the office of the division of licenses and inspections within the city department of development services, or such successor agency or subagency, and any designee of such individual.

Dwelling means any enclosed space, other than a group living dwelling, hotel, or rooming house, which is wholly or partly used or arranged or designed to be used for living or sleeping by human occupants.

Dwelling unit means any room or group of rooms connected together that include a bathroom and facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one household, regardless of form of ownership in which such dwelling unit is held. Dwelling units include efficiency/micro units and condominium units rented for residential use.

Efficiency or micro unit has the definition in the zoning regulations.

Egress means a place or means of going out, as defined by the ordinances, statutes, and regulations of the city and the state.

Extermination means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the director of health; and exterminate means the act of extermination.

Group living has the definition in the zoning regulations.

Group living for health reasons has the definition in the zoning regulations, as revised and amended from time to time, and also includes rehabilitation homes (as defined in and regulated by prior city ordinance section 30-1, namely, "a dwelling housing a group of persons during a period in which such persons are being housed for periods of more than one (1) day for the purpose of undertaking a program of social rehabilitation or other similar programs, and not required to be licensed by the state as a child care facility pursuant to G.S. § 17-48, or as an institution (hospital, home for the aged, nursing home or rest home) pursuant to G.S. §§ 19a-490 through 19a-503") that as of August 1, 2019 have a valid license from the city for a rehabilitation home.

Group living dwelling means a dwelling that is used as group living, group living for health reasons, residential care, or temporary shelter facility.

Group living unit is any room or group of rooms connected together, intended for living by a person or persons who do not constitute a household, and which does not have a kitchen, and is located within a group living dwelling.

Guest means any person who occupies a housing unit at no charge for rent or occupancy on a nonpermanent status for not more than thirty (30) days.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closet and storage spaces, furnace rooms, kitchenettes and utility rooms, stairways and workshops, and hobby and recreation areas in unsealed or uninsulated parts of a structure below ground level or in attics.

Heated water means water heated to a temperature of no less than one hundred forty degrees Fahrenheit (140° F.).

Heating facility means all equipment, facilities and plumbing necessary to produce heat or hot water or both and deliver same to all habitable space in and around a dwelling unit.

Hotel means a commercial establishment offering temporary lodging to transient guests, including but not limited to bed and breakfasts, motels, and apartment hotels.

Hotel unit means a room or group of rooms located within a hotel and forming a single habitable unit used or intended to be used primarily for living and sleeping but not primarily for cooking or eating purposes.

Housing means dwelling, group living dwelling, hotel, or rooming house, and the premises of such dwelling, group living dwelling, hotel, or rooming house, except where the word "housing" is used as an adjective immediately before another noun, where the context would suggest a more limited definition.

Housing unit means a dwelling unit, group living unit, hotel unit, or rooming unit.

Household has the definition of household in the zoning regulations.

Infestation means the presence, within or around a dwelling, of any insects, rodents or other pests.

Kitchen means a room used for food preparation and storage and containing the equipment, fixtures, and materials identified in section 18-61G of this code.

Kitchenette means a small kitchen or an alcove containing cooking facilities.

Lead statute means the State Lead Poisoning Prevention and Control Act, G.S. §§ 19a-111-1 through 19a-111-11, and all accompanying rules and regulations.

Multi-unit dwelling means any dwelling containing two (2) or more dwelling units, including two-unit dwellings and three-unit dwellings. Attached or row buildings shall be considered a multi-unit dwelling if two (2) contiguous dwelling units in one or more buildings are owned by the same person.

Occupant means any person over one (1) year of age living, sleeping, cooking, eating in, or having actual possession of, a housing unit, except that in dwelling units, a guest will not be considered an occupant.

One-unit dwelling means a dwelling containing one (1) dwelling unit, without any other dwelling units located on the same lot.

Operator means any person who has charge, care or control of a building or part thereof in which housing units are let.

Ordinary summer conditions means a temperature of ten degrees Fahrenheit (10° F.) below the highest recorded temperature in the locality for the prior ten-year period.

Owner means any person who, alone or jointly or severally with others shall have legal or equitable title to any housing or housing unit with or without accompanying actual possession thereof, provided that an owner shall include an authorized agent.

Permissible occupancy means the maximum number of persons permitted to reside in a housing unit.

Plumbing means all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, faucets, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and any other similar supplied fixture, together with all connections to water, sewer, or gas lines.

Premises means a platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure, and includes any such building, accessory structure, or other structure thereon.

Privacy means the ability of a person to carry out an activity without interruption, observation, or interference by unwanted persons.

Residential care has the meaning in the zoning regulations.

Rooming house means any dwelling or that part of any dwelling containing one (1) or more rooming units in which space is let by the owner or operator to three (3) but no more than six (6) persons, or any dwelling that as of August 1, 2019, has a valid license from the city for a rooming house. Rooming houses include boarding houses as defined in the zoning regulations.

Rooming unit means a room or group of rooms designed for living and sleeping which may or may not have a bathroom and does not have a kitchen.

Rubbish means combustible and noncombustible waste materials, and the term shall include the animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food; residue from the burning of wood, coal, coke, and other combustible material; paper; plastic containers; rags; cartons; boxes; wood; excelsior; rubber; leather; tree branches; yard trimmings; tin cans; metals; mineral matter; glass; crockery; and dust.

Safety means the condition of being free from danger and hazards which may cause accidents, fire, or disease.

Space heater means a self-contained, automatically controlled, electric or vented fuel-burning appliance of either the circulating type or the radiant type.

Supplied means paid for, furnished or provided by or under the control of the owner or operator.

Temporary housing means any tent, trailer, mobile home, or any other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utility system on the same premises for more than thirty (30) consecutive days.

Temporary shelter facility has the meaning in the zoning regulations.

Three-unit dwelling means a dwelling containing three (3) dwelling units.

Two-unit dwelling means a dwelling containing two (2) dwelling units.

Valid means current, unrevoked, and duly-issued by the appropriate authority.

Water under pressure means pressure sufficient to supply at least one (1) gallon per minute from each outlet.

Zoning regulations means the zoning regulations for the city of Hartford, as adopted by the planning and zoning commission, and as amended from time to time.

**Sec. 18-4. – Scope and applicability.**

- A. This chapter shall apply to all public and private housing and housing units within the city of Hartford, except as provided by state or federal law, except:
  - (1) One-unit dwellings.
  - (2) Two-unit dwellings in which an owner resides.
  - (3) Mobile manufactured homes.
  
- B. This chapter shall have the effective date of August 1, 2019.
  
- C. This chapter shall not be construed to suspend or revoke any valid license or valid certificate of apartment occupancy from the city, provided, however, that suspension or revocation may occur in accordance with section 18-30 of this code.
  
- D. Conflicts.
  - (1) In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety, health, or other ordinance or code of the city, the provisions which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.
  - (2) In any case where a provision of this chapter is found to be in conflict with a provision of the State Building Code, State Fire Safety Code, or State statutes or regulations, the State provision shall prevail.

E. Designated authority.

- (1) Pursuant to G.S. §§ 47a-50 et seq., the city may adopt regulations involving various aspects of housing, and pursuant to that statute and the general authority granted to the council, the authority executing and enforcing the statute, and this ordinance more generally, is given to the director of licenses and inspections.
- (2) Pursuant to G.S. §§ 47a-56 et seq., the city hereby adopts the provisions of such statute and appoints the director of licenses and inspections to carry out the provisions of said sections.

**Sec. 18-5 to 18-19. – Reserved.**

**ARTICLE II. APPLICATIONS AND LICENSING**

**Sec. 18-20. – Application required.**

- A. Prior to operating housing containing three (3) or more housing units, or otherwise allowing such housing to be occupied, every owner of such housing shall apply to the director of licenses and inspections, on an application form to be provided for that purpose, for a license, provided that housing containing three (3) or more housing units that is occupied by an owner shall not be subject to the preceding requirement to apply for a license.
- B. Notwithstanding subsection A of this section 18-20, to effectuate the purposes of this chapter and to ensure the orderly processing of applications, no license for a dwelling or dwelling unit shall be required:
  - (1) Prior to July 1, 2022, for buildings containing three (3) to nine (9) dwelling units.
  - (2) Prior to July 1, 2021, for buildings containing ten (10) to thirty-nine (39) dwelling units.
  - (3) Prior to July 1, 2020, for buildings containing forty (40) or more dwelling units.

On any date between the effective date of this ordinance and July 1, 2022, the director of licenses and inspections may demand that the owner of any dwelling with five (5) or more violations within a ninety (90)-day period submit an application for a license within the ninety (90) days after the notice of such demand is sent, even if such demand would accelerate the date on which an initial application would otherwise be required by this chapter.

C. Notwithstanding subsection A of this section 18-20, to effectuate the purposes of this chapter and to ensure the orderly processing of applications, no license for a group living dwelling or group living unit shall be required:

- (1) Prior to July 1, 2022, for a temporary shelter facility.
- (2) Prior to July 1, 2021, for group living and residential care.
- (3) Prior to July 1, 2020, for group living for health reasons.

On any date between the effective date of this ordinance and July 1, 2022, the director of licenses and inspections may demand that the owner of any group living dwelling with five (5) or more violations within a ninety (90)-day period submit an application for a license within the ninety (90) days after the notice of such demand is sent, even if such demand would accelerate the date on which an initial application would otherwise be required by this chapter.

**Sec. 18-21. – Application period.**

- A. The director of licenses and inspections shall accept applications for licenses for the following types of housing or housing units at any time:
- (1) New housing or new housing units.
  - (2) Housing or housing units that were vacant for a period of sixty (60) days or more preceding the date of the application.
  - (3) Housing or housing units that are subject to a valid license but are to be owned or operated by someone other than the current owner or operator.
- B. The director of licenses and inspections shall accept applications for license renewals at any time until June 30, 2020; thereafter, to provide sufficient time for the issuance of licenses and for appropriate inspections, the application period for license renewals shall take place between March 1 and June 1 of each year. The director of licenses and inspections may, in his or her discretion, subject to staffing and availability, accept applications for license renewals at other times.

**Sec. 18-22. – Application fees.**

- A. The fees for applications for licenses required by this chapter shall be as follows:
- (1) Dwelling unit license: three (3) to nine (9) dwelling units: sixty dollars (\$60), plus forty dollars (\$40) per dwelling unit.
  - (2) Dwelling unit license: ten (10) to thirty-nine (39) dwelling units: seventy-five dollars (\$75), plus fifty dollars (\$50) per dwelling unit.

- (3) Dwelling unit license: forty (40) or more dwelling units: two hundred dollars (\$200), plus seventy dollars (\$70) per apartment unit.
- (4) Group living license: two hundred dollars (\$200), plus thirty-eight dollars (\$38) per group living unit.
- (5) Hotel license: three hundred fifty dollars (\$350), plus eighty-five dollars (\$85) per hotel unit. For any hotel owned by any person, firm, corporation, joint venture or other legal entity that is exempt from income tax liability pursuant to Section 501(c)(3) of the Internal Revenue Code, the applicable licensing fees shall be: two hundred and fifty dollars (\$250), plus thirty dollars (\$30) per hotel unit.
- (6) Rooming house license: five hundred dollars (\$500) for one (1) to six (6) rooming units, seven hundred fifty dollars (\$750) for seven (7) to twelve (12) rooming units, and one thousand dollars (\$1,000) for more than twelve (12) rooming units.
- (7) Beginning July 1, 2021, an additional fee of \$1,000 shall be required for applications for license renewals that are submitted at any time outside of the application period set forth in section 18-21B of this code.

**B. Reductions.**

- (1) The per unit license fee for dwelling units in buildings containing forty (40) or more dwelling units in which initial occupancy of all units is legally restricted to individuals or families earning sixty (60%) per cent or less of area median income shall be twenty (\$20.00) dollars per apartment unit. Upon request, owners and operators of such buildings shall be required to provide the director of licenses and inspections with copies of tenant eligibility information, including, but not limited to mandated annual income certification or re-certification forms.
- (2) Notwithstanding anything to the contrary in this section 18-22, the director of licenses and inspections shall have the authority to adopt regulations to reduce by up to fifty (50) percent any fees for dwelling unit licenses for applications that undergo a self-certification process as such process may be established by the director.

**C. Application fees include one (1) inspection visit. Additional inspections shall be charged to the applicant in accordance with article III of this chapter.**

**D. License application fees shall be nonrefundable.**

**Sec. 18-23. – Application procedures.**

- A. An application for a license required by this chapter shall consist of an application form, attachments required by the application form, and supplemental materials required by the director of licenses and inspections.**



- B. Such application shall be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, does not contain significant inaccuracies or omissions, does not contain multiple minor inaccuracies or omissions, and is accompanied by the required fee amount (including the license application fee as well as the fee for any inspections conducted in accordance with article III of this chapter).
- C. The date on which the application is deemed complete by the director of licenses and inspections shall be deemed to be the submission date of the application.
- D. An application must be signed by the owner, the operator (if distinct from the owner), and the city resident acting as the registered agent.
- E. In addition to information to be submitted by the application form, the director of licenses and inspections may require the submission of additional information, documentation, and evidence, where such information, documentation, and evidence is reasonably necessary to assess the veracity of the contents of the application, to ensure that the appropriate scope of review is undertaken, and to ensure sound decision-making as required in section 18-25 of this code.
- F. The director of licenses and inspections may, in his or her discretion, refer any application, attachment, or supplemental material to any city or state official, including but not limited to the corporation counsel, the chief of the fire department, the chief of the police department, the director of the department of public works, the zoning administrator, the director of planning, the director of housing, the director of the department of health, or their designees, for guidance, analysis, evaluation, and recommendations relevant to the decision on granting the license.
- G. The director of licenses and inspections may call upon any third party consultant for assistance in the performance of his or her duties. Applicants shall be required to pay the city in advance for projected or proposed third party consultant expenses associated with review of their applications, prior to any approval being effective.
- H. Prior to the issuance or renewal of a license, the housing or housing unit to be licensed may be inspected to determine whether it is in compliance with the provisions of this chapter and the statutes of the state and the city. Inspections shall be conducted in accordance with article III of this chapter.

- I. A separate application must be filed for each individual building, on each lot, for each permit desired.
- J. In all cases, the burden is on the applicant to show that an application complies with all applicable review or approval criteria.

**Sec. 18-24. – Application form.**

The application form for a license for the operation of housing or housing units shall require the submission of the following information:

- A. The contact information, consisting of full legal name, address, telephone number, email address (if any), and full legal name of the owner and registered agent, and the operator (if any).
  - (1) Name. In the case the owner or operator is a partnership, the names of all general partners must be provided. In the case of a limited liability company, the names of its members must be provided. In the case of a corporation or other business entity, the name and address of the registered agent and officers of said business entity. In the case the owner is a trust, such contact information for each trustee shall be provided. In the case of estate, the contact information of the executor, administrator, conservator, or other fiduciary responsible for the estate shall be provided.
  - (2) Address. An address must be a location described by the full street number, if any, the street name, the city or town, and the state, and not a mailing address such as a post office box. If the owner or owners are a person or people who do not reside in the city, each owner must provide his or her residential address. In the case of a partnership, limited liability company, corporation, or other business entity, each registered agent must provide his or her residential address.
  - (3) Registered agent. In the case of an owner-occupant, the registered agent shall be a human being who is a resident of the city who shall act as the agent of the owner-occupant for the receipt of violation notices and for service of process issued pursuant to the provisions of this chapter, where such owner-occupant is absent from the city for thirty (30) or more days. In the case of a nonresident owner, the registered agent shall be a resident of the city who shall act as his or her agent for the receipt of violation notices and for service of process issued pursuant to the provisions of this chapter.
- B. A copy of a driver's license or comparable state-issued photo identification showing the name, photo, and address of the owner and registered agent, and operator (if any).

- C. The full legal name, address, telephone number, and email address (if any) of each mortgagee and lienholder of record, and any assignees.
- D. The number of rooms in the building, the number of housing units, and the number of persons proposed to be accommodated or allowed in each housing unit.
- E. The plan of each floor of the building, drawn to a scale of not less than one-quarter-inch to a foot, showing all fire escapes, stairs, halls, bathrooms, kitchens, lighting, screens, plumbing fixtures, flooring materials, trees and vegetation, location and size of all windows, the location and dimensions and square footage of habitable rooms and the exits of each floor and showing the number of persons proposed to be accommodated or allowed on each floor, with the intended use of every room in the building written on the plan. Unless the building is exempt by the State Fire Code, the plan shall include sprinklers in the common areas, and in housing units and areas as required by code.
- F. A copy of a valid certificate of insurance showing general liability and innkeeper's liability insurance with coverage of at least one million dollars (\$1,000,000.00) of general liability and one million dollars (\$1,000,000.00) of excess liability. Such certificate of insurance shall provide that no cancellation will be made without thirty (30) days' notice to the city director of licenses and inspections.
- G. A certificate of zoning compliance, if a zoning permit to initiate the housing or housing unit was issued more than five (5) years prior to the date of the application.
- H. A valid certificate of occupancy.
- I. A certificate of nonconformance, if required by the zoning regulations.
- J. A lead inspection report, if required by the lead statute or by the director of health or the director of licenses and inspections.
- K. A description of rubbish disposal facilities (including recycling), extermination and pest control plans and practices, energy efficiency plans and practices, water efficiency plans and practices, snow removal plans, and, if applicable, other sustainability measures, lead paint evaluations, and landscape and weed control plans.

- L. A copy of the latest energy efficiency audit completed for the housing or the housing unit, if any.
- M. A heating facility inspection report, dated within the six (6) months preceding the application submission date and indicating that the heating facility for such premises has been inspected within the last year by a person licensed to design, construct or repair a heating facility and that such heating facility meets the requirements of this chapter, except that no such report shall be required for a heating facility that for all primary components is ten (10) years old or less.
- N. The signature of the applicant, including the owner, certifying to the truthfulness and accuracy of the information tendered and an acknowledgement that there will be penalties for false representation.
- O. Notwithstanding anything to the contrary in this section 18-24, the application form may be formatted in such a way as to allow the applicant to submit the information through a self-certification process that may be established by the director of licenses and inspections.

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

- A. When an application for a license for housing or housing units pursuant to this chapter is complete, the director of licenses and inspections shall review the application and shall approve, approve with conditions, or deny the application.
  - (1) An approval of the application will result in the issuance of a license.
  - (2) An approval with conditions of the application will result in the issuance of a license, subject to reasonable conditions that the applicant must satisfy in order to obtain and maintain the license.
  - (3) A denial will result in no license.
- B. Decision-making criteria considered by the director of licenses and inspections shall include:
  - (1) Satisfaction of application requirements.
  - (2) Results of any inspection conducted.
  - (3) Compliance with any applicable life safety code, such as the State Building Code or the State Fire Safety Code, provided that lack of compliance shall result in an immediate denial.
  - (4) Compatibility with adjacent properties.
  - (5) Adequate provision (number), operability, and general condition of supplied amenities and fixtures, including but not limited to heat, heated water, lighting, plumbing, bathrooms, and kitchens.

- (6) Overall condition of the building and premises, including the presence of fire hazards, infestations, lead paint, or any other material regulated in this chapter.
- (7) Suitability of the arrangement of buildings, open space, and provision of light, ventilation, and air.
- (8) Demands on services and infrastructure.
- (9) In the case of a renewal, number and nature of violations documented during prior inspections or visits by any officer of the city or State.

C. Notice of decisions shall be provided to applicants.

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

- A. Subject to restrictions on transferability contained in section 18-28 of this code, any change to the full name of the owner, registered agent, operator, mortgagee of record, or lienholder of record, as applicable, that occurs after an application is submitted or after a license is issued must be submitted in writing to the director of licenses and inspections seven (7) days prior to the change, provided that if it is impossible or impractical to submit such change seven (7) days prior to the change, the change must be submitted within ten (10) days after the change, along with a notarized statement from the transferee, and in the case of a replaced owner, registered agent, or operator, a copy of a driver's license or comparable state-issued photo identification showing the name, photo, and address of the owner, registered agent, or operator (as applicable).
- B. Any change to the address, telephone number, email address (if any) of the owner, registered agent, operator, mortgagee of record, or lienholder of record, as applicable, that occurs after an application is submitted or after a license is issued must be submitted in writing to the director of licenses and inspections seven (7) days prior to the change, provided that if it is impossible or impractical to submit such change seven (7) days prior to the change, the change must be submitted within ten (10) days after the change. A change in address of a registered agent shall not be accepted by the director of licenses and inspections if it purports to change the address of the registered agent to a location outside of the city.
- C. Any decrease in the number of rooms in the building, the number of housing units, and the number of persons proposed to be accommodated or allowed in each housing unit must be submitted in writing to the director of licenses and inspections within seven (7) days after the occurrence of the decrease.

- D. Any increase in the items identified in the preceding subsection C, or any changes to the floor plans or certificate of insurance, shall not be permitted without a full and complete new application to the director of licenses and inspections.
- E. Pursuant to section 18-30 of this code, some changes in information may result in revocation of a license.

**Sec. 18-27. – Effect of license.**

- A. Upon receipt of the license, and for the terms and duration and subject to the conditions of the license, an owner of housing or housing units may operate the housing or housing units, as applicable, and otherwise allow the housing or housing units to be occupied, subject to the issuance of any certificates of apartment occupancy required under article V of this chapter.
- B. A license provides the right to operate the housing or housing units as set forth in the application, as amended or supplemented pursuant to section 18-26 of this code, subject to the issuance of any certificates of apartment occupancy required under article V of this chapter.
- C. The issuance of a license shall not relieve the owner and operator of the responsibility to make general repairs pursuant to chapter 9 of the code, maintain fire protection equipment pursuant to chapter 13 of the code, manage solid waste pursuant to chapter 15 of the code, maintain and preserve historic housing as required by chapter 28 of the code, repair and clear of sidewalks and public ways pursuant to chapter 31 of the code, maintain landscaping (including trees and green infrastructure) pursuant to the zoning regulations and chapter 28 of code, and perform other responsibilities required by any other law, rule, or regulation.
- D. If the director of licenses and inspections issues a license for a dwelling unit for which a certificate of apartment occupancy is required pursuant to article V of this chapter, he or she shall also issue a certificate of apartment occupancy valid for up to two (2) years from the date of issuance of the license, and in no event past the second June 30 following the date of issuance, unless he or she has given the property an “exceeds standards” rating, in which case he or she shall issue a certificate of apartment occupancy valid for the full length of the license, for the same dwelling units subject to the license.

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

- A. Licenses for dwellings, dwelling units, hotels, and hotel units may be transferred to a subsequent owner, subject to satisfaction of the requirements of section 18-26.
- B. Licenses for group living, group living units, rooming houses, and rooming units are not transferable.

**Sec. 18-29. – Duration of license.**

- A. A license shall start upon the effective date indicated in the notice of approval of the application, or if no effective date is indicated, on the date on the notice of approval.
- B. For group living facilities and group living units, hotel and hotel units, rooming houses and rooming units, every new license, and every license renewal, shall be effective for a maximum of one (1) year, starting from the date of issuance of the license until the first June 30 following the date of issuance, unless earlier suspended or revoked pursuant to section 18-30 of this code.
- C. For dwellings and dwelling units, every new license, and every license renewal, shall be effective for a maximum of four (4) years, starting from the date of issuance of the license until the fourth June 30 following the date of issuance, unless earlier suspended or revoked pursuant to section 18-30 of this code.

**Sec. 18-30. – Suspension or revocation of license.**

- A. A suspension of a license shall result in a temporary ceasing of all licensed activities until such reasonable time as set by the director of licenses and inspections to cure a violation under this chapter or other reason provided by the director of licenses and inspections.
- B. A revocation of a license shall result in the permanent ceasing of all licensed activities until and unless another license is obtained.
- C. A license for housing or housing units, whether issued pursuant to previous ordinance provisions related to the licensing of housing or issued pursuant to current ordinance provisions, may be suspended or revoked by the director of licenses and inspections for any of the following activities or occurrences:
  - (1) Violation of any provision of this ordinance or other applicable law, rule, or regulation.

- (2) Failure to comply with any applicable life safety code after written notice and opportunity to cure in accordance with article IX of this chapter, such as the State Building Code or the State Fire Safety Code, or of the State laws and regulations regarding lead poisoning prevention and control.
- (3) Abandonment of the licensed activities, as indicated by licensed housing or housing units being vacated for a period of sixty (60) days or more, unless such vacancy is caused by reasons beyond the owner's control such as damage by flood, fire or storm and owner is diligently working to repair such damage.
- (4) Conducting, or knowingly allowing to be conducted, illegal activities on the premises.
- (5) Loss, failure to renew, cancellation, or reduction of insurance coverage shown on the insurance certificate required to be provided with the license application.
- (6) Loss, failure to renew, or cancellation of any document granting authority to an authorized agent to act on behalf of an owner or operator, where the director of licenses and inspections reviewed and approved such document.
- (7) Refusal by the owner to consent to inspections requested by the director of licenses and inspections.
- (8) Failure to pay the city in advance for third party consultants deemed necessary, in the discretion of the director of licenses and inspections, to assist the director with evaluating applications, conducting inspections, or assessing conditions of the housing or housing unit.
- (9) Property taxes for the housing or housing unit, or any fixtures or personal property contained therein or housed thereon, are delinquent.
- (10) Other reasons significant to health, safety, and general welfare, in the discretion of the city.

D. In making a decision to suspend or revoke a license, the director of licenses and inspections must exercise reasonableness and discretion in considering the criteria in section 18-25B of this code, and: the severity of the threat to health, safety, and general welfare; remedial measures that have been taken by the owner or operator; the timeline for remedial action to be taken; and other facts and information as may be provided to him or her by city and State officials and by members of the general public, including occupants and owner.

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

**Sec. 18-31 to 18-39. – Reserved.**



### ARTICLE III. INSPECTIONS

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

- A. The director of licenses and inspections is hereby authorized and directed to make inspections (including re-inspections of previously inspected locations) to determine the condition of housing and housing units, for the purpose of determining compliance with the provisions of this chapter.
- B. The director of health, the chief of the police department or his or her designee, and the chief of the fire department or his or her designee, and any other city official deemed appropriate or necessary by the director of licenses and inspections are authorized to assist with such inspections, subject to the provisions in this article applicable to the director of licenses and inspections. Any person or entity duly authorized in accordance with this section to conduct inspections pursuant to this chapter shall be called an inspector.

#### Sec. 18-41. – Consent for inspections.

- A. For the purpose of making such inspections, the inspector, with consent of the owner, occupant, or judicial authority, is hereby authorized to enter, examine, and survey between the hours of 8:30 a.m. and 4:30 p.m. or as otherwise mutually agreed by the inspector and the owner or occupant, all housing and housing units. For the purpose of consenting to an inspection and/or receiving notices relating thereto, a minor child under the age of 18 shall not be considered an occupant.
- B. Whenever an owner, operator, or occupant of a housing unit shall deny an inspector the right of entry for the purpose of inspection, the inspector shall not so enter until he or she presents a duly issued search warrant for the housing or housing unit to the owner, operator, or occupant.
- C. Nothing in this section shall be construed to preclude the entry of the inspector at any time when, in his or her judgment, an emergency tending to create an immediate danger to the public health, welfare, or safety exists.

#### Sec. 18-42. – Nature of inspections.

- A. An inspection conducted pursuant to this chapter shall be conducted for one or more of the purposes of: evaluating a license application or a certificate of

apartment occupancy application, assessing ongoing compliance with the license or certificate and associated conditions, fulfilling the city's obligation to conduct investigations regarding toxic levels of lead pursuant to the lead statute, and ensuring the satisfaction of the goals of this chapter.

- B. Such inspection shall not have for its purpose the undue harassment of the owner, operator, or occupant.
- C. Such inspection shall be made so as to cause the least amount of inconvenience to said owner, operator, or occupant, consistent with an efficient performance of the duties of the director of licenses and inspections.
- D. Among other things documented in the report, all inspection reports must indicate for each housing and housing unit inspected whether a smoke detector has been installed in each unit and in each area as required by the State Fire Safety Code, and, if so, the status and location of the smoke detector. Inspectors shall report missing or inoperative detectors to the fire marshal and owner of record within twenty-four (24) hours of inspection.
- E. During an inspection, the inspector may collect or be made aware of information and evidence that may result in a fine or form the basis for a criminal prosecution.
- F. The director of licenses and inspections may choose to conduct, or ask another inspector to conduct, a re-inspection for any reasonable reason, including but not limited to: the observance or report of a possible violation of any applicable law, rule, or regulation in the conduct of licensed activities; determination of compliance with conditions set forth in the applicable license; determination of compliance with conditions of any applicable law, rule, or regulation in the conduct of licensed activities; assessment of whether there are toxic levels of lead for which abatement would be required pursuant to the lead statute; assessment of whether and to what extent remedial action has been undertaken; and the need to respond to a complaint.
- G. In the sole discretion of the director of licenses and inspections, for any inspection for any building with twenty-five (25) or more housing units, in connection with a license application pursuant to article II of this chapter, the director of licenses and inspections may select for inspection twenty-five (25) percent of the total number of hotel units within a hotel, with a minimum of twenty (20) hotel units, or forty (40) percent of the total number of dwelling units within a dwelling, with a minimum of twenty (20) dwelling units, provided that the specific hotel units or dwelling units to be inspected shall be chosen randomly and in the sole discretion of the director of licenses and

inspections. In no circumstance shall the preceding sentence be construed to prohibit the director of licenses and inspections from inspecting all housing units for which a license is sought.

**Sec. 18-43. – Inspections related to toxic levels of lead.**

- A. Notwithstanding anything to the contrary in this chapter, this section may be applied to all properties (including buildings and their premises) in the city, not just to properties containing housing and housing units to which the rest of this chapter is otherwise limited in applicability.
- B. Pursuant to the lead statute, the city hereby designates the director of health as the officials with the authority to coordinate with the State the identification, assessment, and enforcement of State laws and regulations on toxic levels of lead.
- C. The director of licenses and inspections and the director of health may conduct or cause to be conducted inspections related to toxic levels of lead in any property in the city, whether housing or not, if they have reason to believe, as a result of reports of elevated blood levels in occupants or through visual observation or otherwise, that the property contains toxic levels of lead.
- D. To properly assess whether a property contains toxic levels of lead, the director of licenses and inspections and the director of health may hire, or cause to be hired, third parties, such as certified lead inspectors and other professionals, to provide information to the city regarding toxic levels of lead. The cost of such professionals shall be borne by the property owner exclusively.
- E. After the inspection occurs, an inspection report shall be completed using the State inspection form and shall be postmarked and sent by certified mail or hand delivery by the second working day following completion of the inspection. The inspection form shall indicate all defective and intact lead-based surfaces.
- F. Within two (2) days after receipt of an inspection report identifying toxic levels of lead requiring abatement, the owner shall post to each entrance to the housing unit or common area of dwelling affected. The notice shall measure at least eight-and-one-half (8 ½) inches by eleven (11) inches, with letters measuring at least one half (½) inch. The notice shall state that the dwelling unit contains a toxic level of lead which may be dangerous and which a child should not be allowed to mouth or chew. The notice shall not be

removed until the dwelling unit has been found to comply with the lead statute.

- G. The owner shall provide a summary report of the lead inspection and/or lead management plan, and the post-abatement inspection report to the residents and to the director of licenses and inspections. This summary inspection report shall contain the results of lead-based surface testing as required by section 19a-111-3 of the regulations for the lead statute and will include a description of the testing methods used.
- H. The owner shall also provide the residents with information prescribed by the department concerning the toxicity of lead and precautions that should be taken to avoid exposure.
- I. The director of health shall have full authority under the lead statute to issue an order for a property owner to conduct a lead abatement plan and correct all defective lead-based surfaces requiring abatement and soil areas identified as a source, or potential source for elevated blood within the time period specified by section 19a-111-5 of the regulations for the lead statute.

**Sec. 18-44. – Fees for inspections.**

- A. The fees for inspections conducted in accordance with this chapter shall be one hundred dollars (\$100) per inspection, including but not limited to re-inspections and inspections related to toxic levels of lead. Such cost shall not be applied to one (1) inspection associated with a license application, pursuant to section 18-22 of this code. Such cost shall not be applied to inspections conducted by an inspector on behalf of an occupant seeking to report or document a violation.
- B. The fee for an owner's failure to appear, or to send a representative to appear, at an inspection within twenty (20) minutes of a scheduled appointment shall be one hundred dollars (\$100).
- C. An inspector may call upon a third party consultant, including but not limited to a certified lead inspector, for assistance in the performance of its duties for a thorough and complete inspection. Applicants shall be required to pay the city in advance for projected or proposed third party consultant expenses associated with the review of their applications, prior to any license being effective.
- D. Inspection fees and failure to appear at inspection fees shall be nonrefundable.

Sec. 18-45 to 18-59. – Reserved.

#### ARTICLE IV. REQUIREMENTS FOR ALL HOUSING

Sec. 18-60. – Generally.

- A. No person shall operate housing or housing units unless he or she holds a valid license issued by the director of licenses and inspections and approved in the name of the person operating the specific named housing or housing units, subject to the transfer provision of 18-28.
- B. No building now in existence or hereafter constructed or erected, nor any portion thereof, shall be used as housing or housing units unless such building and every part thereof shall conform to the requirements of this chapter and to such other requirements of the law, including, without limitation the State Basic Building Code, the Fire Safety Code, Hartford Municipal Code, rules and regulations of the city department of development services, and zoning regulations as may apply.

Sec. 18-61. – Owner’s responsibilities.

Every owner of housing or a housing unit must:

- A. Maintain at all times in a clean and sanitary condition every surface, including walls, floors, stairwells, passages, windows, doors, water closets, cesspools, drains, halls, cellars, roofs, porches, decks, stoops, and ceilings, for the housing or housing unit, whether occupied or not, including the entire exterior structure of the housing or housing unit and any common areas.
- B. Protect all exterior wood surfaces, other than decay-resistant woods, from the elements and from decay by paint or other protective covering or treatment, using lead-free materials upon any surface that is readily accessible to children.
- C. Ensure that all painted surfaces of every building used or intended to be used in whole or in part for human habitation are kept free of cracked, chipped, blistered, flaking, loose, or peeling paint.
- D. Maintain in sound condition and good repair every foundation, floor, wall, ceiling and roof, door, skylight, basement hatch, and window so that it shall

be reasonably weathertight, watertight, and rodentproof, and shall be capable of affording privacy.

- (1) Ensure windows designed with insulated glass and thermal pane windows do not exhibit seal leakage, such as condensation or discoloration between glass panes.
- (2) Ensure that windows that are the means of emergency egress from a floor area open without the need of keys, tools, or special knowledge.
- (3) Ensure that windows and doors accessible from the outside have working locks.
- (4) Ensure that door locks to individual housing units, or to shared facilities or rooms associated thereto, function as designed and as prescribed by the manufacturer.
- (5) Refrain from installing wall-to-wall carpeting or replacing existing wall-to-wall carpeting in any dwelling unit, group living unit, or rooming unit, to assist with asthma prevention, allergy control, and mold.
- (6) Change the keys or combination for each positive locking device to individual housing units when occupants change.

E. Ensure light and air to every habitable room by satisfying the following criteria:

- (1) Every habitable room has one (1) window or skylight facing the outdoors, where minimum total window area, measured between stops, shall be one-eighth (1/8) the net floor area of the room, or if the room has only a skylight, where minimum total window area is fifteen (15) percent of the net floor area of the room. Whenever walls or other portions of structures face a window of any such room from the exterior and such light obstruction structures are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.
- (2) The director of health may grant an exception for the requirement that each habitable room have one (1) window or skylight, where he or she determines that such room is equipped with a ventilation system which is kept in efficient operation.
- (3) Every habitable room has one (1) window or skylight facing the outdoors, where forty-five (45) percent of the minimum size prescribed in subsection (1) above or such other device as will adequately ventilate the room.

- (4) All clothes dryer exhaust must adequately be ventilated to the outdoors except where there is supplied some other device affording adequate ventilation.
- F. Supply rubbish disposal facilities or containers, including containers for recyclable materials as required by chapter 15 of the city code, sufficient in number and size for holding rubbish and recycling accumulated between regular collections; arrange for regular collections of rubbish and recycling; provide for the regular disposal of litter in and around the premises; and arrange for proper disposal of bulky waste.
- G. Properly install and maintain in in sound condition and good repair all supplied amenities and facilities therein, including but not limited to bathrooms, electrical outlets and fixtures, heat, heated water, kitchens, lighting, and plumbing.
- (3) Provide, in the case of a bathroom, all of the following:
- a. A flush water closet.
  - b. A lavatory basin.
  - c. A bathtub or shower in working condition, free of deterioration and installed and maintained in a manner prescribed by city and state regulations and codes.
  - d. Flooring that is reasonably impervious to water, level, and kept in a clean and sanitary state condition.
  - e. Such fixture group must be properly connected to an approved sewer system and to an approved hot and cold water running water system under pressure, except that the flush water closet must be connected to an approved sewer system and to an approved cold water running water system under pressure.
  - f. The flush water closet, lavatory basin, and bathtub or shower must be installed in the same room, or in an adjacent room, in a configuration and design that affords privacy to a person using said facilities.
- (4) Provide, in the case of electrical outlets and fixtures, all the following:
- a. Every habitable room and nonhabitable room used for food preparation shall have at least one (1) floor-or wall-type electrical convenience duplex outlet for each sixty (60) square feet or fraction thereof of total floor area, and in no case fewer than two (2) such duplex outlets per room.
  - b. Every water closet compartment, bathroom, kitchen or kitchenette, laundry room, furnace room and public hall shall contain at least one (1) supplied ceiling-or wall-type electric light fixture.
  - c. Every bathroom and laundry room shall be provided with at least one (1) electric outlet.

- (5) Provide, in the case of heat, heating units that: heat all habitable rooms, bathrooms, and water closet compartments to a minimum temperature of at least sixty-five (65) degrees Fahrenheit whenever the outer or street temperature falls below fifty (50) degrees Fahrenheit; and are equipped with a control valve or thermostat to allow the occupant to regulate the heat supplied.
- (6) Provide, in the case of a kitchen, or in location that is within three (3) feet of a kitchen and in an adjacent room within the housing unit, all of the following:
- a. A kitchen sink installed, and properly connected to hot and cold running water system under pressure and sewer systems, and maintained in accordance with city and state regulations and codes, and which provides at all times an adequate amount of heated and unheated water under pressure and which has the capacity to handle dish washing.
  - b. Cabinets or shelving for the storage of eating and drinking and cooking equipment and utensils and of food that does not, under ordinary summer conditions, require refrigeration for safekeeping, and a counter for food preparation. Said cabinets and/or shelves and counter shall be adequate for the permissible occupancy of the dwelling unit and shall be of sound construction, furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.
  - c. A stove or equivalent device for cooking food and a refrigerator or equivalent device for the safe storage of food at temperatures less than fifty degrees Fahrenheit (50° F) but more than thirty-two degrees Fahrenheit (32° F) under ordinary summer conditions, which are properly installed with all necessary connections for safe, sanitary and efficient operation. Such stove or equivalent device, or refrigerator or equivalent device, need not be installed where an agreement between the owner and occupant has been executed which so provides, but sufficient space and adequate electrical outlets must nevertheless be provided for the safe and efficient installation and operation of said stove or equivalent device and refrigerator or equivalent device.
  - d. Flooring that is reasonably impervious to water, level, and kept in a clean and sanitary state condition.
- (7) Provide, in the case of lighting, adequate lighting at every exterior entrance, porch, public hall, and stairway so as to provide at least three (3) foot-candles of light at the tread or floor level at all times, provided that for two-unit dwellings, such lighting may be controlled by switches and turned off when not in use; and adequate lighting in any bathroom, kitchen, and other habitable room, provided that



replacement of light bulbs within a housing unit after the first month of occupancy shall be the responsibility of the occupant.

- H. Properly install prior to June 1 of each year and remove by October 31 of each year a properly fitting screen of not less than sixteen (16)-mesh per inch and a self-closing device in good operating condition, for at least one door opening directly from a housing unit to an outdoor space; for any door, window, hatch, or other opening from a basement to any outdoor space; or for a window intended to be used for ventilation.
- I. Exterminate, using a certified applicator as defined in G.S. § 22a-54, to prevent or eliminate an infestation of bed bugs in accordance with G.S. § 47a-7a; exterminate to prevent, reduce, or eliminate infestations throughout a group living dwelling, hotel, or rooming house, or exterminate to prevent, reduce, or eliminate infestations in a dwelling where an infestation is not solely contained or containable within a single dwelling unit or where infestation is caused by failure of the owner to maintain a dwelling in a rodent-proof or reasonably insect-proof condition.
- J. Ensure that every water closet compartment floor surface and bathroom and kitchen floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- K. Maintain the housing, including repairing leaky faucets and plumbing and ensuring a watertight building envelope, in such a physical condition so as to prevent the accumulation of moisture and the visible growth of mold; remediate visibly moldy surfaces through measures recommended by the State department of health, including but not limited to installing dehumidifiers, fixing structural problems, using bleach on nonporous surfaces, and replacing porous surfaces such as wallboard that have become moldy; and promptly respond to any notices from an occupant regarding the existence of an accumulation of moisture and visible growth of mold, provided, however, that nothing in this subsection shall be construed to prevent an owner from pursuing legal action against an occupant whose actions caused the accumulation of moisture or visible growth of mold.
- L. Prevent from being removed, shut off, or discontinued any service, facility, equipment, or utility required under this chapter, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the director of health.

- M. Allow an occupant to implement energy conservation measures (including but not limited to removable weatherstripping around doors and windows, removable interior storm windows, and insulation wrap around hot water heating tanks), in any dwelling or dwelling unit, but not any group living unit, hotel unit, or rooming unit. Nothing in this section shall be construed to authorize the occupant to make structural changes to a building or otherwise restrict the availability to the tenant of other legal remedies.
- N. Ensure compliance of construction, materials, and means of egress, and install and use all equipment, as required by laws dealing with fire protection of the city and the state.
- (1) For smoke detectors required in dwelling units by the State Fire Safety Code and the State Building Code, owners must replace a smoke detector that malfunction for reasons other than the fault of the occupant and must test a smoke detector and replace batteries when an occupant vacates a let unit.
  - (2) For smoke detectors required in group living units, hotel units, and rooming units by the State Fire Safety Code and the State Building Code, owners must periodically test a smoke detector and replace batteries.
  - (3) No person may remove or render a smoke detector inoperative except for its periodic maintenance or maintenance or repair to the housing or housing unit.
  - (4) Each floor of a structure used, any part of which is used, for housing shall have a fire extinguisher in a common area.
- O. Maintain vegetation on the premises such that:
- (1) Trees are maintained in a healthy condition pursuant to the zoning regulations and chapter 28 of the code.
  - (2) Grass, weeds, or similar growth does not grow more than one (1) foot in height.
  - (3) Invasive species do not grow.
  - (4) Weeds or other plant which may, in the opinion of the director of health, cause hay fever or similar diseases, do not grow.
  - (5) Poison ivy and poison sumac does not grow within twenty-five (25) feet of a street line or within twenty-five (25) of adjoining property, except with the written consent of the owner of such adjoining property.
  - (6) Wild and untrimmed bushes do not grow or remain on any land fronting on a public street in the city, or on any interior lot bounded on three (3) or more sides by land fronting on any such street.
- P. Address issues related to lead hazards in accordance with the lead statute, including (using terms as defined in such statute and related regulations):

- (1) When a child under the age of 6 resides in a housing unit, abatement of all defective lead-based surfaces, and abatement of all accessible lead-based surfaces shall be abated to a level of six hundredths percent (0.06%) and nonaccessible abated to a level of forty-nine hundredths percent (0.49%).
- (2) When a child under the age of 6 resides in a housing unit and has an elevated blood lead level, abatement to a level of forty-nine hundredths percent (0.49%) of all lead-based chewable surfaces, whether or not that surface is defective, and all lead-based movable parts of windows and surfaces that rub against movable parts of windows.
- (3) When a child under the age of 6 resides in a dwelling unit requiring lead abatement, assessment of interior dust, drinking water, and exterior soil; abatement of soil or sand areas not covered by materials specified in the statute and regulations which are found to contain lead concentrations in excess of 400 parts per million; reduction of lead dust hazards to a safe level; and reduction of lead in drinking water through means approved by the director of health.
- (4) Under no circumstances shall an owner take eviction action to avoid abatement actions described in this section and in the lead statute.

Q. Arrange room dimensions and locations to comply with all of the following:

- (1) At least seventy-five (75) percent of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet eight (8) inches, except for attic rooms which shall each be at least seven (7) feet four (4) inches high in half of its area; and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
- (2) No basement space shall be used as a habitable room unless: floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness; total window area in each room is equal to at least the minimum window area sizes as required in this section; required minimum window area is located entirely above the grade of the ground adjoining such window area; total of openable window area in each room is equal to at least the minimum as required in this section, except where there is supplied some other device affording adequate ventilation and approved by the director of health; and rooms shall be at least eight (8) feet six (6) inches high in each part from the floor to the ceiling and the ceiling shall be at least four (4) feet six (6) inches above the outside ground level.
- (3) No cellar space shall be used as a habitable room or housing unit.

- (4) No housing or housing unit containing two (2) or more sleeping rooms shall have such arrangements that access to a bathroom or water closet compartment, intended for use by occupants of more than one (1) sleeping room, can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment.
- R. Maintain in good repair any porch, stoop, stair, or elevator.
- S. Report to the police department any known illegal activity taking place within the housing or housing unit.
- T. Provide to each occupant over age seventeen (17) a voter registration form, in the form then available by the office of the registrar of voters of the city and the State, at the time such occupant or occupants take possession of a housing unit.

**Sec. 18-62. – Occupant’s responsibilities.**

Every occupant of a housing unit must:

- A. Keep in a clean and sanitary condition that part of the housing unit and premises thereof which he or she occupies and controls.
- B. Dispose of all rubbish in a clean and sanitary manner and in appropriate containers, separating recyclables from other rubbish in accordance with chapter 15 of the municipal code.
- C. Keep all supplied fixtures and facilities therein in a clean and sanitary condition and exercise reasonable care in the proper use and operation thereof.
- D. Allow the owner, subject to the terms of a written lease and state law, to access any part of such housing unit or its premises at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter, with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.
- E. Maintain or replace screens, once properly installed in any one season.

- F. Exterminate any infestation if his or her dwelling unit is the only one infested, provided that such obligation shall not apply to occupants of group living units, hotel units, or rooming units, and further provided that failure to exterminate may be penalized in accordance with article IX of this chapter; notify an owner orally or in writing when he or she knows or reasonably suspects that the housing unit is infested with bed bugs, and cooperate with any inspection and treatment of bed bugs, pursuant to G.S. § 47a-7a; and refrain from moving furniture, clothing, equipment, or personal property if the occupant's housing unit is found to be the subject of an infestation until after the infestation is exterminated.
- G. Use reasonable efforts to maintain the housing unit and any other part of the premises and he or she occupies in such a condition as to prevent accumulation of moisture and the growth of mold, and to promptly notify the owner of any moisture accumulation that occurs or of any visible evidence of mold discovered.
- H. Replace light bulbs within the occupant's housing unit if they are extinguished, after the first month of occupancy, unless an executed lease for the housing unit places responsibility for this task on another party.
- I. Deposit with the owner any key to any locking device, upon termination of the occupant's interest in the housing unit.
- J. Prevent from being removed, shut off, or discontinued any service, facility, equipment, or utility required under this chapter, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the director of health.
- K. Periodically test smoke detectors installed within dwelling units and replace batteries, provided that this obligation does not apply to occupants of group living units, hotel units, and rooming units; and pay if requested by the owner for the replacement of a smoke detector if it malfunctions due to the fault of the applicant.
- L. Ensure that maximum occupancy is maintained at the levels represented in the application and at the maximum level allowed by the building code, the zoning regulations, or any other law, code, or regulation, whichever number is less.

Sec. 18-63 to 18-79. – Reserved.

**ARTICLE V. ADDITIONAL REQUIREMENTS FOR DWELLINGS AND DWELLING UNITS**

**Sec. 18-80. – Certificates of apartment occupancy.**

- A. No dwelling unit in a multi-unit dwelling with three (3) or more dwelling units shall be occupied for human habitation after a vacancy until a certificate of apartment occupancy has been issued by the director of licenses and inspections, certifying that such dwelling unit conforms to the requirements of this chapter and G.S. chapter 833a; provided that no provision of this chapter shall be construed to prohibit human occupancy of such apartment during the pendency of an application for such certificate.
- B. No rent, including rent received from short-term rentals, shall be recoverable by the owner or lessor of such dwelling unit for the occupation of any dwelling unit for which a certificate of apartment occupancy has not been obtained prior to the rental thereof.
- C. No certificate of apartment occupancy shall be required for:
- (1) A dwelling which has been constructed or substantially reconstructed within the ten (10)-year period immediately before the date such certificate of apartment occupancy would otherwise be required.
  - (2) Housing owned by a housing authority organized under the provisions of G.S. chapter 128
  - (3) Housing containing dwelling units created under the Unit Ownership Act of the State of Connecticut wherein seventy-five percent (75%) of such units are in individual ownership other than by the declarant or by any other single owner.

**Sec. 18-81. – Application period.**

The director of licenses and inspections shall accept applications for certificates of apartment occupancy at any time.

**Sec. 18-82. – Application fees.**

The fee for an application for a certificate of apartment occupancy shall be seventy-five dollars (\$75) for each dwelling unit for which a certificate of apartment occupancy is sought, provided that no additional fees shall be required where an applicant receives a certificate of apartment occupancy pursuant to section 18-27 of

this code. The director of licenses and inspections shall have the authority to adopt regulations to reduce by up to fifty (50) percent any fees for applications for a certificate of apartment occupancy that undergo a self-certification process as such process may be established by the director.

**Sec. 18-83. – Application procedures.**

An application for a certificate of apartment occupancy shall consist of an application form, attachments required by the application form, and supplemental materials required by the director of licenses and inspections, provided that no additional application for a certificate of apartment occupancy shall be required where an applicant receives a certificate of apartment occupancy pursuant to section 18-27 of this code as a result of a licensing application. Application procedures for licenses set forth in section 18-23 of this code are hereby incorporated by reference as constituting the application procedures for a certificate of apartment occupancy.

**Sec. 18-84. – Application form.**

The application form for licenses as set forth in section 18-24 of this code, and the information required to be submitted therefore, are hereby incorporated by reference as constituting the application form for a certificate of apartment occupancy.

**Sec. 18-85. – Decision-making on an application.**

- A. When an application for a certificate of apartment occupancy pursuant to this chapter is complete, the director of licenses and inspections shall review the application and shall approve, approve with conditions, or deny the application.
- (1) An approval of the application will result in the issuance of a certificate of apartment occupancy.
  - (2) An approval with conditions will result in the issuance of a certificate of apartment occupancy, subject to reasonable conditions that the applicant must satisfy in order to obtain and maintain the certificate of apartment occupancy.
  - (3) A denial will result in no license.
- (4) The decision-making criteria for an application for licenses as described in section 18-25 of this code, and the information required to be submitted therefore, are hereby incorporated by reference as constituting the decision-making criteria for an application for a certificate of apartment occupancy.

(5) Notice of decisions shall be provided to applicants.

**Sec. 18-86. – Changes to information in application.**

The provisions regarding changes to information in an application, as set forth in section 18-26 of this code, and the information required to be submitted therefore, are hereby incorporated by reference with regard to certificates of apartment occupancy.

**Sec. 18-87. – Effect of certificate of apartment occupancy.**

- A. Upon receipt of the certificate of apartment occupancy, and for the terms and duration and subject to the conditions of the certificate of apartment occupancy, an owner of a dwelling or dwelling units duly licensed by the city may allow the dwelling or dwelling units to be occupied.
- B. A certificate of apartment occupancy provides the right to operate the dwelling or dwelling units as set forth in the application, as amended or supplemented pursuant to section 18-86 of this code.
- C. The issuance of a certificate of apartment occupancy shall not relieve the owner and operator of the responsibility to make general repairs pursuant to chapter 9 of the code, maintain fire protection equipment pursuant to chapter 13 of the code, manage solid waste pursuant to chapter 15 of the code, maintain and preserve historic housing as required by chapter 28 of the code, repair and clear of sidewalks and public ways pursuant to chapter 31 of the code, maintain landscaping (including trees and green infrastructure) pursuant to the zoning regulations and chapter 28 of code, and perform other responsibilities required by any other law, rule, or regulation.

**Sec. 18-88. – Transferability of certificate of apartment occupancy.**

Certificates of apartment occupancy are transferable upon sale of the dwelling or dwelling unit, to the new owner of the dwelling or dwelling unit.

**Sec. 18-89. – Duration of certificate of apartment occupancy.**

A certificate of apartment occupancy shall start upon the effective date indicated in the notice of approval of the application, until such date as the dwelling unit shall be vacated, or, in the case of a certificate of apartment occupancy issued with a license pursuant to section 18-27 of this code, until such date indicated to be the expiration date on such certificate.



**Sec. 18-90. – Suspension or revocation of certificates of apartment occupancy.**

The provisions regarding the suspension or revocation of certificates of apartment occupancy, as set forth in section 18-30 of this code, and the information required to be submitted therefore, are hereby incorporated by reference as constituting the provisions for suspension or revocation of certificates of apartment occupancy.

**Sec. 18-91. – Space, use, and location.**

- A. Each dwelling unit shall contain at least one hundred fifty (150) square feet of floor space for the first occupant thereof and at least one hundred thirty (130) square feet of floor space for every additional occupant, the floor space to be calculated on the basis of total habitable room area.
- B. In each dwelling unit of two (2) or more rooms, each room occupied for sleeping purposes shall contain at least seventy (70) square feet of floor space for the first occupant and at least fifty (50) square feet of floor space for each additional occupant thereof.
- C. Each dwelling unit shall have adequate closet or other storage space for the personal effects of each permissible occupant. If it is lacking, an amount of space equal in square footage to the deficiency shall be subtracted from the area of habitable room space used in determining permissible occupancy.
- D. Each dwelling unit must contain a kitchen and a bathroom.

**Sec. 18-92 to 18-99. – Reserved.**

**ARTICLE VI. ADDITIONAL REQUIREMENTS FOR GROUP LIVING FACILITIES AND GROUP LIVING UNITS**

**Sec. 18-100. – Supervision.**

Each group living dwelling shall have a supervisor or supervisors who live on site at all times. The director of health shall promulgate rules and regulations establishing minimum standards of supervision, minimum qualifications of supervisors, registration of supervisors and minimum office and meeting room requirements to ensure the orderly operation of group living facilities.

**Sec. 18-101. – Bathrooms.**

If group living unit is located within a building primarily operated as a group living dwelling, the group living unit shall have a bathroom.

**Sec. 18-102 to 18-119. – Reserved.**

**ARTICLE VII. ADDITIONAL REQUIREMENT FOR HOTELS AND HOTEL UNITS**

**Sec. 18-120. – Space, use, and location.**

- A. Each hotel unit shall contain at least one hundred fifty (150) square feet of floor space.
- B. Each hotel unit must have at least two (2) approved remote means of egress, both of which lead to safe and open space at ground level (as required by the laws of the State and this city), except that windows shall not be considered means of egress.

**Sec. 18-121. – Bathrooms.**

Each hotel unit shall have at least one (1) bathroom.

**Sec. 18-122. – Cooking.**

- A. Cooking in a hotel unit shall be prohibited except in those hotels operating as residential hotels, which include kitchens.
- B. Communal cooking and dining facilities shall be prohibited in a hotel, except as approved by the director of health in writing.

**Sec. 18-123. – Other requirements.**

- A. The owner or operator shall ensure that doors to hotel units from outdoor areas, common areas, hallways, and lobbies shall have operating locks to ensure privacy.
- B. The owner or operator must provide clean linens and towels upon letting any hotel unit to a guest and at least once each week. The owner and operator shall maintain supplied bedding in a clean and sanitary manner.

Sec. 18-124 to 18-139. – Reserved.

**ARTICLE VIII. ADDITIONAL REQUIREMENTS FOR ROOMING HOUSES AND ROOMING UNITS**

**Sec. 18-140. – Space, use, and location.**

- A. Each rooming unit shall contain at least seventy (70) square feet of floor space for one (1) occupant using the rooming unit for sleeping purposes, and at least fifty (50) additional square feet of floor space per additional occupant using the rooming unit for sleeping purposes, exclusive of wardrobe and closet space.
- B. Each rooming unit must have at least two (2) approved remote means of egress, both of which lead to safe and open space at ground level (as required by the laws of the State and this city), except that windows shall not be considered means of egress.
- C. No rooming unit shall be located in any accessory structure. No accessory structure shall be used as a rooming house.

**Sec. 18-141. – Bathrooms.**

In every rooming house, there shall be at least one toilet, one sink and one shower or bathtub for each two (2) rooming units shown on the plans submitted with the application for the rooming house license as well as the square footage as determined by an inspection performed by the director of licenses and inspections or for each five (5) occupants, whichever requirement provides more bath facilities per occupant. All such facilities shall be so located within the rooming house as to be reasonably accessible from a common hall or passageway to all of the persons sharing such facilities and shall be on the same floor as the rooming units which such facilities serve.

**Sec. 18-142. – Cooking.**

- A. Cooking in a rooming unit shall be prohibited.
- B. Communal cooking and dining facilities shall be prohibited in a rooming house, except as approved by the director of health in writing.

**Sec. 18-143. – Other requirements.**

- A. The owner or operator shall ensure that doors to rooming units from outdoor areas, common areas, hallways, and lobbies shall have operating locks to ensure privacy.
- B. The owner or operator must provide clean linens and towels upon letting any rooming unit to a guest and at least once each week. The owner and operator shall maintain supplied bedding in a clean and sanitary manner.
- C. The person who obtains a license for a rooming house shall reside in the rooming house. No license or license renewal for a rooming house shall be issued when neither an owner nor operator is a bona fide resident of the property.
- D. The owner must display a copy of any city license in a conspicuous place within the common areas of the housing, and the floor plan must be displayed in a central common area, in a conspicuous place, on the main floor of the rooming house, together with a notice that violations of this article may be reported anonymously by calling 311.
- E. The licensee of every such rooming house must keep in the office, or other place on the premises, a register in which shall be entered the name and permanent residence, if any, of every person who becomes an occupant thereof. Such register shall also show the number or location of the room or bed occupied by such person, with dates of arrival, and departure. The register shall also be accessible, without charge, to any duly authorized agent of the department of development services.
- F. Each rooming house shall have a doorbell at the principal entrance for the rooming house, which rings in a common area and is audible within the rooming units. Each rooming unit shall have a doorbell.

Sec. 18-144 to 18-159. – Reserved.

## ARTICLE IX. VIOLATIONS, REMEDIAL ACTION, AND PENALTIES

Sec. 18-160. – Notice of violation.

- A. Whenever the director of licenses and inspections determines that there are reasonable grounds to believe that there has been a violation of any provision

of this chapter or any rule or regulation adopted pursuant thereto, before issuing any citation, such director shall give notice of such alleged violation to the person responsible therefor, provided that no notice shall be required in the case of emergency action as provided in section 18-162 of this code.

B. Such notice of violation shall:

- (1) Be put in writing.
- (2) Include a statement of the reasons why it is being issued, including appropriate code citation.
- (3) Allow a reasonable time, not fewer than twenty-one (21) days and not more than sixty (60) days, for the correction of any alleged violation, except that in the case of a condition, which in the judgment of the director of licenses and inspections is or in its effect is dangerous or detrimental to life or health, the date specified shall be not more than five (5) days from the date of the mailing of such notice.
- (4) Be served upon the owner or the occupant, as the case may require; provided, that such notice shall be deemed to be properly served upon such owner or upon such occupant, if a copy thereof is served upon him or her personally; or if a copy thereof is sent by registered mail to his or her last known address; or if a copy thereof is posted in a conspicuous place in or about the housing or housing unit affected by the notice; or if he or she is served with such notice by any other method authorized or required by the laws of this state.
- (5) State that unless violations cited are corrected within the time period offered, the division of licenses and inspection will issue a citation imposing fines, penalties, costs, and fees dues and the license or certificate of occupancy may be denied, suspended, or revoked.

C. Such notice of violation may contain an outline of remedial action that, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted pursuant thereto.

Sec. 18-161. – Citation.

- A. If any violation documented in any notice of violation is not remedied within the specified time period, the owner shall be issued a citation.
- B. Such citation shall:
  - (1) Be put in writing.
  - (2) Include a statement of the reasons why it is being issued, including appropriate code citation.
  - (3) Be served upon the owner or the occupant, as the case may require; provided, that such citation shall be deemed to be properly served upon

such owner or upon such occupant, if a copy thereof is served upon him or her personally; or if a copy thereof is sent by registered mail to his or her last known address; or if a copy thereof is posted in a conspicuous place in or about the housing or housing unit affected by the notice; or if he or she is served with such notice by any other method authorized or required by the laws of this state.

- (4) State the fines, penalties, costs, or fees due.
- (5) State that the recipient may contest his or her liability before a hearing officer in person or by mailed written notice within ten (10) days of the date thereof, and that if he or she does not demand such a hearing, an assessment and judgment shall be entered against him or her, and that such judgment may issue without further notice.

- C. The owner shall be presumed to shall bear primary responsibility for violations of this chapter that arise from obligations of the owner; however, operators or occupants may be jointly or severally liable depending on the factual circumstances.

#### Sec. 18-162. – Emergency actions.

- A. Notwithstanding any other provisions of this chapter, whenever the director of licenses and inspections or director of health finds that an emergency exists which requires immediate action to protect the public health or safety, he or she may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he or she deems necessary to meet the emergency, and such order shall be effective immediately.
- B. Any person to whom such order is directed shall comply therewith immediately but, upon petition to the director of licenses and inspections or director of health, as applicable, shall be afforded a hearing as soon as possible, in accordance with article X of this chapter.

#### Sec. 18-163. – Post-notice procedures.

- A. The director of licenses and inspections may, in his or her discretion, postpone the last day by which a violation shall be corrected upon a showing by the owner or other responsible person that he or she has begun to correct the violation, but that full correction of the violation cannot be completed within the time provided because of technical difficulties, inability to obtain necessary materials or labor, or inability to gain access to the dwelling unit wherein the violation exists, provided that such postponement shall not exceed sixty (60) days from the date by which corrections would be made

pursuant to the original notice, unless the affected party seeks an additional extension pursuant to article X of this chapter.

- B. When the violation has been corrected, the responsible party shall promptly, but not later than two (2) weeks after such correction, report to the director of licenses and inspections in writing, indicating the date when each violation was corrected. It shall be presumed that the violation was corrected on the date so indicated, unless a subsequent inspection by the director of licenses and inspections reveals the existence of the condition giving rise to the earlier notice of violation.
- C. If the person who is sent notice pursuant to section 18-160 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs, or fees admitted to in person or by mail to the city.
- D. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice of violation shall be deemed to have admitted liability, and the corporation counsel shall certify such person's failure to respond.

**Sec. 18-164. – Penalties and costs.**

- A. Any penalties imposed by, and costs incurred by, the city pursuant to this chapter shall be due and payable to the city the business day after any appeals period has expired.
- B. Any person or entity who shall violate any provision of this chapter, or any provision of any rule or regulation adopted by any city agency or department pursuant to authority granted in this chapter, or shall fail to correct any violation prior to the date set forth in the notice of violation shall be subject to a civil penalty of up to one hundred dollars (\$100) per day for each violation from the date of the citation to the date such violation is corrected, and to the extent required by G.S. § 47a-59 the total penalty shall not exceed seven thousand five hundred dollars (\$7,500) per violation.
- C. Any person or entity who shall violate any provision of this chapter, or any provision of any rule or regulation adopted by any city agency or department pursuant to authority granted in this chapter, or shall fail to correct any violation prior to the date set forth in the notice of violation shall be subject to imprisonment of up to thirty (30) days, if convicted.

- D. Any nonresident owner that does not file a true and accurate residential address shall be fined a civil penalty of two hundred fifty dollars (\$250) for the first violation and one thousand dollars (\$1,000) for any subsequent violation.
- E. Any person or entity who recovers rent for the occupation of any dwelling unit for which a certificate of apartment occupancy has not been obtained prior to the rental thereof shall be liable for a civil penalty of twenty dollars (\$20) per day for not more than two hundred (200) days for such period of unlawful occupation.
- F. The director of licenses and inspections shall maintain a current record of all properties with respect to which such penalty remains unpaid in the office of such agency. Such record shall be available for inspection by the public.
- G. The city shall recover from the responsible party all expenses, including legal and administrative charges and charges by third party consultants, incurred by the city as a result of any inspection, abatement, or enforcement action.
- H. When the department of health certifies that any rented dwelling or dwelling unit is unfit for human habitation, by reason of defects which may cause sickness or endanger the health of the occupants, the department may issue an order requiring the rented dwelling or dwelling unit, or any portion thereof, to be vacated within not less than twenty-four (24) hours or more than ten (10) days. Any person who violates or assists in violating, or fails to comply with, any provision of this section or any legal order of a department of health made under any such provision shall be guilty of a class C misdemeanor.

**Sec. 18-165. – Remedial actions.**

In the event of the failure of any person to perform remedial action to correct a violation or comply with any other order, the director of licenses and inspections or director of health may cause compliance therewith, and the expense of the compliance may be collected as a debt against such person, and the city may place a lien on the property in accordance with section 18-166 of this code.

**Sec. 18-166. – Judicial actions.**

- A. Whenever any person violates or threatens to violate any provision of this chapter or any provision of any rule or regulation adopted by a city department or agency pursuant to authority granted by this chapter or any order of the director of health, the city is authorized to institute before any



court having jurisdiction a civil action praying for an injunction restraining any such person from committing such violation.

- B. The city may bring an action in superior court for the recovery of penalties, together with costs and disbursements.
- C. In any judicial action, the city shall seek to recover from the responsible party all expenses, including legal and administrative charges and charges by third party consultants, incurred by the city as a result of any inspection, abatement, or enforcement action.
- D. Notwithstanding anything to the contrary in this chapter, the city shall be entitled to pursue the maximum fines available to it pursuant to state law.
- E. The city may pursue any other legal remedy available to it at law or in equity.
- F. The city, including among other officials the director of licenses and inspections and the director of health, is authorized to submit information to the office of the state attorney to aid in prosecutions of violations of this chapter.

**Sec. 18-167. – Liens.**

- A. The city shall have authority to file a lien on the land records for such costs incurred in review of applications, inspections, enforcement, or the execution of remedial action pursuant to this chapter, and for any penalty imposed pursuant to this chapter, and remaining unpaid for a period of sixty (60) days after its due date, upon the real property against which the costs were incurred or the penalty was imposed.
- B. Prior to filing such lien, the director of licenses and inspections must:
  - (1) In the case of costs incurred, record on the land records a certificate subscribed and sworn to by the director of licenses and inspections giving the address of the housing or housing unit, identifying the record owner of the housing or housing unit, the amount claimed as a lien, and the date of commencement of the activities undertaken; and stating that the amount is justly due and that the expenses have been incurred in pursuance of review of applications, inspections, enforcement, or the execution of remedial action pursuant to this chapter. Such certificate shall be filed at any time during the activities giving rise to the cost or within four (4) months after the completion of the activities giving rise to the cost.

- (2) In the case of a penalty imposed pursuant to a violation, record on the land records a notice of violation and index such violation in the name of the property owner no later than thirty (30) days after the penalty was imposed.
- C. Each such lien shall be effective from the time of the recording on the land records.
- D. Each such lien shall take precedence over all transfers and encumbrances recorded after such time, and all other liens and encumbrances, except taxes and assessments, recorded previously to the existence of such lien.
- E. Unless proceedings to discharge such lien are taken by the party against whom or whose real property a lien is claimed, the filing shall, as to all persons having actual notice, become conclusive evidence that the amount claimed in the notice of lien with interest is due and is a just lien upon the premises.
- F. Any lien pursuant to this section may be foreclosed in the same manner as a mortgage.
- G. Any lien pursuant to this section may be discharged or dissolved in the manner provided in G.S. §§ 49-35a to 49-37, inclusive.
- H. The recovery or repayment of any penalties or costs incurred pursuant to this chapter may be obtained by the city by collecting rents directly from any tenants of the dwelling involved, or by a suit against the owner of the dwelling, or both, pursuant to procedures contained in G.S. chapter 833a.

**Sec. 18-168. - Condemnation.**

- A. The director of licenses and inspections or director of health may condemn as unfit for human habitation any housing or housing unit he or she may deem to be so damaged, decayed, dilapidated, insanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or the public.
- B. Any housing or housing unit condemned as unfit for human habitation and so designated and placarded shall be vacated within a reasonable time as ordered by the enforcing officer.

- C. No housing or housing unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the condemning authority.
- D. The condemning authority shall remove such placard whenever the defect upon which the condemnation and placarding action was based has been eliminated.
- E. No person shall deface or remove the placard from any housing or housing unit which has been condemned as unfit for human habitation and placarded as such, except as provided in paragraph D.
- F. Where no corrective action is taken by the owner, operator, or occupant of a housing or housing unit designated as unfit for human occupancy within six (6) months following the date of the placarding action and when no hearing is pending, the director of licenses and inspections shall seek judicial remedies and may consider pursuing an order that the structure in violation to be demolished as soon as practicable, provided that reasonable notice is given to said owner, operator, or occupant within a reasonable time prior to said demolition.
- G. Nothing herein contained shall be interpreted as precluding any private right of action of any person against an owner, operator, or occupant of the placarded structure.

**Sec. 18-169. – Special consideration.**

Notwithstanding anything herein to the contrary, special consideration may be given to individuals who are elderly or disabled and who demonstrate that the violation results from an inability to maintain a housing unit and no person with that ability resides therein, and to property owners who are in financial distress and demonstrate an inability to pay the costs of remedying any violation issued pursuant to this chapter. Such special consideration shall be limited to the reduction or elimination of fines, or an agreement that the city or its agents may perform the necessary work and place a lien against the premises for the cost thereof in accordance with the provisions of this code.

**Sec. 18-170 to 18-179. – Reserved.**

**ARTICLE X. APPEALS**

**Sec. 18-180. – Right to appeal.**

- A. Any person adversely affected by any order which has been issued in connection with the enforcement of any provisions of this chapter may request and, upon payment of a ten dollar (\$10.00) fee to the city, shall be granted a hearing on the matter before the hearing officer established under section 1-5 of the code, provided that such person, within ten (10) days of the date of service of the order, shall file in the office of the director of licenses and inspections a written petition containing a request for such hearing and setting forth a brief and concise statement of the error alleged to be contained in the order. The person filing such a petition shall be called the petitioner.
- B. Appeals of a suspension (including a request for an extension of such suspension, rather than revocation) may be filed in accordance with article X of this chapter, provided, however, that any suspended license shall be deemed to be automatically revoked if a request for hearing is not filed in the office of the director of licenses and inspections within twenty (20) days after notice of suspension is served.
- C. This article shall not apply to any person who is assessed a civil penalty pursuant to section 18-164(d) of this code, or to any person aggrieved by the denial of a certificate of apartment occupancy, which are appealable to the superior court in accordance with state law.
- D. This article shall not apply to any appeal from an order of the director of health pursuant to section 18-164(h) of this code, which is appealable to the State director of health in accordance with state law.

**Sec. 18-181. -- Effect of appeal.**

The filing of an appeal shall not automatically stay operation of the order.

**Sec. 18-182. -- Appeal procedures.**

**A. Timing**

- (1) If a petitioner is appealing an order related to an emergency action pursuant to section 18-162 of this code, or is requesting a stay pursuant to section 18-185 of this code, the hearing officer shall hold a hearing as soon as possible, but whenever possible no later than ten (10) days from the filing of the petition.
- (2) For all hearings other than those requested pursuant to subsection (1), the hearing officer shall hold a hearing not less than fifteen (15) days nor more than thirty (30) days from the date of mailing of the notice.

- (3) Upon application of the petitioner, said hearing officer may postpone the date of the hearing for a reasonable time if, in his or her judgment, the petitioner submitted a good and sufficient reason for such postponement; but in no event shall said hearing be postponed longer than sixty (60) additional days.
- B. Any person who requests a hearing pursuant to this article shall be given written notice of the date, time, and place for the hearing.
- C. At such hearing the petitioner shall be given an opportunity to be heard and to show why such order shall be modified, extended, or withdrawn, or a waiver granted.
- D. The petitioner shall have the right to be represented by counsel, to cross-examine and to call witnesses, and to introduce evidence on his own behalf.
- E. The corporation counsel or his designee shall represent the city and shall cross-examine and call witnesses, and introduce evidence on behalf of the city. The presence of the issuing official shall be required at the hearing if the petitioner so requests.
- F. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.

**Sec. 18-183. – Decisions in appeals.**

- A. The hearing officer shall announce his or her decision at the end of the hearing.
- B. If the hearing officer determines that the petitioner is not liable for the violation, the order shall be withdrawn, and the ten dollar (\$10) fee shall be returned to the petitioner.
- C. If the hearing officer determines that the petitioner is liable for the violation, the order shall be sustained, and the hearing officer shall forthwith enter and assess the fines, penalties, costs, or fees against such person as provided by this chapter.
- D. The hearing officer may grant an extension or waiver in accordance with the conditions set forth in section 18-185 of this code.

- E. If the petitioner fails to appear, the hearing officer may enter an assessment by default against him or her upon a finding of proper notice and liability under the applicable statutes or ordinances.

**Sec. 18-184. – Extension or waiver.**

- A. Extension. The time for performance of any act required by the order may be extended for not more than eighteen (18) months subject to appropriate conditions and provided that the hearing officer makes specific findings of fact based on evidence relating to the following factors:
- (2) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of any provisions of this title; and
  - (3) That such extension is in harmony with the general purpose and intent of this title in securing the public health, safety and general welfare.
- B. Waiver. A waiver (including partial waiver) may be granted in a specific case and from a specific provision of this chapter subject to appropriate conditions and provided that the hearing officer makes specific findings of fact based on evidence relating to the following factors:
- (1) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provision;
  - (2) That the effect of the application of the provisions would be arbitrary in the specific case;
  - (3) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and
  - (4) That such waiver is in harmony with the general purpose and intent of this title in securing the public health, safety and general welfare.

**Sec. 18-185. – Request to stay during appeal.**

- A. A party filing the petition, within the time allowed for such filing, may make written request of the director of licenses and inspections for a stay of operation of the order pending the hearing by the hearing officer.
- B. Such request shall set forth a brief and concise statement of the reasons for which good cause for a stay of the operation of the order shall be had.
- C. Upon receipt of such petition, the director of licenses and inspections shall request that the hearing officer set a time and place for a hearing.

**Sec. 18-186. – Record of hearings.**

The proceedings at any hearing conducted pursuant to this section, including the findings and decision of the hearing officer and a copy of notices and orders issued in connection with the matter, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the hearing officer or the director of licenses and inspections .

**Sec. 18-187 to 18-199. - Reserved.**

ITEM# 23 ON AGENDA

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET

HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President  
James Sánchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

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

John V. Bazzano, Town and City Clerk

May 28, 2019

Honorable Glendowlyn Thames, Council President  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: RESOLUTION SUPPORTING A JOBS PROGRAM FOR HARTFORD'S  
HOMELESS & REENTRY POPULATION**

Dear Council President Thames,

Attached for your consideration is a Resolution to support the creation of a Pilot Program using Providence's "A Hand Up" model, which would allow for a Hartford based community service agency to manage and offer day-labor to Hartford's re-entry and homeless population for beautification of our city. This initiative will provide temporary paid labor for Hartford's re-entry and homeless population.



The initiative will provide temporary jobs, with the hopes of linking individuals to more permanent work. Another integral component of the program would enable participants to continue to receive assistance to other social services. The creation of such a potential program would receive initial input and support from the city and as well as other community partners; convening a work group to model a "*A Hand Up*" program for Hartford, would further assist with development of a feasibility plan.

Our residents will gain, by having cleanup in public spaces throughout the city. Moreover, the community will benefit a great deal from this program as it strives to offer work to some of our most disenfranchised population.

We look forward to supporting the development of such a program and would like to honor the ability for collaboration with the administration, given its' alignment with the Mayor's priorities. We welcome new opportunities like this, as we beautify our beloved city.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'WB' with a stylized flourish above the letters.

Wildaliz Bermúdez  
Minority Leader

INTRODUCED BY:  
MINORITY LEADER WILDALIZ BERMUDEZ  
COUNCIL PRESIDENT GLENDOWLYN L. H. THAMES  
COUNCILWOMAN CLAUDINE FOX  
COUNCILWOMAN RJO WINCH  
COUNCILWOMAN MALY ROSADO  
COUNCILMAN T.J. CLARKE  
COUNCILMAN LARRY DEUTSCH  
COUNCILMAN JOHN Q. GALE

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

**RESOLUTION SUPPORTING A JOBS PROGRAM  
FOR HARTFORD'S HOMELESS & RE-ENTRY POPULATION**

**WHEREAS**, on September 12, 2018, the City of Hartford Reentry Welcome Center (administered by Community Partners in Action), was unveiled, becoming a one-stop-shop where formerly incarcerated individuals can get connected to services and supports they need as they work to successfully reintegrate into their communities. This was one of Mayor Luke Bronin's prioritized initiatives; and

**WHEREAS**, Hartford is home to 19 nonprofit organizations that provide shelter or housing programs that prioritize or primarily serve people experiencing homelessness; and

**WHEREAS**, Hartford currently has about 521 people right now experiencing homelessness<sup>i</sup>, and 1,267 individuals who have been directly impacted by the criminal justice system<sup>ii</sup> (returning citizens); and

**WHEREAS**, we are experiencing a growing number of individuals impacted by the criminal justice system seeking social services and employment in our capital city; while our homeless population also seeks jobs and opportunities for services; and

**WHEREAS**, our re-entry and homeless population may face barriers to transitioning and are often among our more vulnerable groups; and

**WHEREAS**, other New England cities like Providence, Rhode Island, have created a special program, "A Hand Up", managed by Amos House, to provide work for their re-entry population, homeless, unemployed and/or those who are panhandling by offering temporary paid labor for cleaning up spaces in the city that need to be de-littered, cleaned up, and/or landscaped (including snow removal); now, be it

**RESOLVED**, that the Hartford Court of Common Council and the Mayor support the creation of a Pilot Program using Providence's "A Hand Up" model, which would allow for a Hartford based

community service agency/agencies to offer day-labor to Hartford's re-entry and homeless population for beautification of our city and that it be in alignment with the administrations priorities; and be it further

**RESOLVED**, that the participants of such a program, shall continue to receive assistance to other social services as part of the program; and be it further

**RESOLVED**, that the Pilot Program's design be encouraged to be developed into a social enterprise; and be it further

**RESOLVED**, that a work group be convened to explore the feasibility of developing a Hartford version of a "*A Hand Up*" program to assist Hartford's re-entry population and individuals experiencing homelessness.

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<sup>i</sup> Data from the Connecticut Coalition to End Homelessness (2018)

<sup>ii</sup> Correspondence Received from the Re-entry Welcome Center on May 21<sup>st</sup>, 2019- available upon request

ITEM# 24 ON AGENDA

INTRODUCED BY:  
MINORITY LEADER WILDALIZ BERMÚDEZ  
COUNCILWOMAN CLAUDINE FOX  
COUNCILMAN LARRY DEUTSCH

COURT OF COMMON COUNCIL  
City of Hartford, May 28, 2019

### RESOLUTION FOR NO SLUMLORDS

**WHEREAS**, in the last two years, Hartford has seen an increase of private property contracts being revoked by the U.S. Department of Housing and Urban Development (HUD) for non-compliance with housing code requirements; and

**WHEREAS**, the Christian Activities Council under the direction of the community and Reverend A.J. Johnson (CAC Organizer), organized "No More Slumlords" a campaign, to tackle significant housing inequalities encountered by Hartford's Northend residents; and

**WHEREAS**, the No More Slumlords campaign has received Federal attention and support in a direct call to action by Senator's Blumenthal and Murphy; and

**WHEREAS**, The Hartford Court of Common Council and the administration, have advocated for more adequate housing options and solutions to its residents encountering housing inequalities; and

**WHEREAS**, the City of Hartford, on December 14, 2015, established a Housing Commission with the mission of shaping and informing local Housing policy, but has to date been inactive with no official appointments made; and

**WHEREAS**, on February 13, 2019, a Resolution was introduced by the Court of Common Council to reestablish a Housing Task Force for the purpose of improving the quality and availability of affordable housing in the City of Hartford, where appointments are expected to be made; and

**WHEREAS**, while the residents of the City of Hartford have been asking for more solutions and accountability, positions for Housing Inspectors with Development Services have not been posted since February 25, 2015;

**WHEREAS**, prioritizing vacancies in the Development Services Department for the hiring of additional housing inspectors, would call for better safe-guards for detecting tenant complaints and reducing the number of slum-lords; now therefore, be it,

**RESOLVED**, That the City of Hartford will actively work to fill at minimum, two vacancies for Housing Inspectors within the Development Services Department; and, be it further;

**RESOLVED**, that the administration urgently activate the Housing Commission and Housing Task Force.

**INTRODUCTION**

James Sánchez, Majority Leader

**Court of Common Council**  
City of Hartford, May 28, 2019

**RESOLVED**, the Materials Innovation and Recycling Authority known as (MIRA) restores the annual host fee of \$4 million dollars payable to the City of Hartford, commencing July 1, 2019

**INTRODUCTION**

James Sánchez, Majority Leader

**Court of Common Council**  
City of Hartford, May 28, 2019

**WHEREAS**, in the recent years many Hartford Public School eliminated Sports and Arts for its students, due to lack of funding; now therefore be it

**RESOLVED**, That the Court of Common Council encourages the Hartford Public School to allocate a portion of the surplus amount (\$2.5 million dollars) on funding for Sports and Arts throughout the Public-School system.

**INTRODUCTION**

James Sánchez, Majority Leader

**Court of Common Council**  
City of Hartford, May 28, 2019

**RESOLVED**, that the Materials Innovation and Recycling Authority (MIRA) shall credit the Hartford Department of Public Works (DPW) for the average per ton transportation cost for Municipal Solid Waste delivered to the MIRA Hartford South Meadows facility as applied to all Municipal Solid Waste delivered there from within the City of Hartford commencing July 1, 2019.

INTRODUCED BY:

ITEM# 28 ON AGENDA

**Councilman Thomas J. Clarke II**  
**Councilwoman Wildaliz Bermudez**  
**James Sánchez, Majority Leader**

**Court of Common Council**  
**City of Hartford May 28, 2019**

**RESOLVED**, The Department of Health and Human Services shall perform a Social Determinant of Health impact study to determine which neighborhoods have been heavily impacted and provide the results of the study and a list of the of the departments recommendations to The Court of Common Council within 60 days of the conclusion of the study.



INTRODUCED BY:            ITEM# 29 ON AGENDA  
Councilman Thomas J. Clarke II  
Councilwoman Wildaliz Bermudez  
James Sánchez, Majority Leader

Court of Common Council  
City of Hartford May 28, 2019

**RESOLVED**, The Hartford Police, Fire Departments and Board of Education shall work with The Mayor's Office and The Court of Common Council to convene a working group to explore opportunities to create a City of Hartford Public Safety Academy for Hartford Public School students and city residents; and

**BE IT FURTHER RESOLVED**, The working group shall convene within 60 days of the passage of this resolution.

INTRODUCED BY:  
Councilman Thomas J. Clarke II  
Councilwoman Wildaliz Bermudez  
James Sánchez, Majority Leader

ITEM# 30 ON AGENDA Court of Common Council  
City of Hartford May 28, 2019

**RESOLVED**, The Department of Human Resources along with The Department of Families, Children, Youth and Recreation shall work to develop a Leadership Development Training Institute for City of Hartford employees and Community Based Organizations in order to provide Hartford residents and employees the necessary leadership and development resources needed to become effective managers and executives.

INTRODUCED BY:  
Councilman Thomas J. Clarke II  
Councilwoman Wildaliz Bermudez  
James Sánchez, Majority Leader

ITEM# 31 ON AGENDA Court of Common Council  
City of Hartford May 28, 2019

**RESOLVED**, The Department of Human Resources shall conduct an employee satisfaction survey on the transition to a High Deductible Health Plan Health Benefits program for ALL municipal employees; and

**Be It Further Resolved**, The Department of Human Resources shall conduct a cost – benefit analysis to determine the true cost of the High Deductible Health Plan savings to The City of Hartford and employees; and

**Be It Further Resolved**, The results shall be submitted to the Mayor, Court of Common Council and City Treasurer prior to the end of current fiscal year which ends on June 30, 2019.

INTRODUCED BY:                    ITEM# 32                    ON AGENDA    Court of Common Council  
Councilman Thomas J. Clarke II  
Councilwoman Wildaliz Bermudez  
James Sánchez, Majority Leader                    City of Hartford May 28, 2019

**RESOLVED**, The Court of Common Council shall create a 13-member Ad Hoc Committee on Revenue and Economic & Community Development for the purpose of providing The Council, Mayor and City Treasurer recommendations on how to grow the city's grand list and how to increase support to our small businesses and their infrastructure; and

Be It Further Resolved, The Ad Hoc Committee shall be composed of 6 appointees from Council, 1 appointment from The Mayor, 1 appointment from The City Treasurer, 1 appointment from Hartford Chamber of Commerce, 1 appointment from HEDCO Inc., 1 appointment from Spanish American Merchants Association, 1 appointment from the Hartford Delegation of the Connecticut General Assembly and 1 appointment from Minority Construction Council, Inc.; and

Be It Further Resolved, The 13-member panel shall convene no later than 30 days from the passage of this resolution; and

Be It Further Resolved, The 13-member panel shall provide The Mayor, Council and Treasurer their report and recommendations no later than 12/31/2019.

INTRODUCED BY  
Larry Deutsch, Councilperson

COURT OF COMMON COUNCIL  
28 May 2019

WHEREAS, many city employees and families have been shifted to different health insurance plans known as HDHP/HSA [High Deductible Health Plans / Health Savings Accounts] through labor contracts or administrative decision, and

WHEREAS, research in health care services and economics have found that these HDHP/HSA plans have differential and discriminating impact, with advantages for people in higher disposable income and tax bracket levels but disadvantages for most individuals and families with average or low income including most city employees and families; and

WHEREAS, detailed analysis requested from Administration [Resolutions of Clarke, Deutsch] has been requested but not provided for study and policy approval by City Council, nor has the Municipal Accountability Review Board [MARB] been responsive; and

WHEREAS, information through countless published academic and media studies, as well as Hartford-based employee/family incidents, have revealed delayed or unaffordable medical and behavioral care consequent to imposition of this plan, introduced over two decades ago as “consumer directed” and “controlling medical costs to economy” but for which neither (useful consumer informed choice nor general cost saving) has been proven effective; and

WHEREAS, delay or avoidance of timely medical and behavioral care due to high deductible policies has been documented in many instances to have harmful and fatal consequences, and

WHEREAS, for such plans, at a national level or in cities such as Hartford, there has never been proof of financial savings for workers and families and for city budget and economy itself - when careful and comprehensive costs have been analyzed including many factors:

1. pain, suffering, and more severe illness due to delayed, deferred, or missed care when workers and families lack up-front payment through check, credit, or cash for unexpected medical and behavioral care;
2. totals of insurance payroll deductions (even if lower initially), out-of-pocket and uncovered costs, missed compensation over time;
3. comprehensive analysis of municipal costs, particularly for a self-insured city as Hartford, through missed work, sick days, workers' comp experience, family care and work loss, and other health effects;
4. overall city budget expense for administration, third-party Administration Services Organizations, complexity and pattern of claims experience, overall local burden of illness and social services; and

WHEREAS, such analysis must be a comprehensive independent view recognizing added expense and suffering for individuals and families when health care is deferred, delayed, or avoided due to unaffordable high out-of-pocket [OOP] charges, and include:

1. the effective medical expense ratio (actual patient care versus administrative expenses) with details;
2. revenue to the city from weekly paycheck deductions;
3. payment by the city [self-insured] for medical, behavioral, and pharmaceutical health services received by employees or their families;
4. administrative expenses for
  - a. the city;
  - b. CIGNA [as an Administrative Services Organization, ASO] with profit and costs to administer these plans on behalf of City;
5. Impact on local economy, with personal and family income and spending ability, for city workers and residents who incur unexpected or unaffordable high-deductible costs; therefore be it

RESOLVED, that City Council requires analysis indicated above through at least one of the following: Department of Chief Operating Officer, Finance, or Human Resources/Benefits and Insurances; for further academic and media documentation see references already sent or appended; and

RESOLVED, that such analysis be obtained through RFQ/RFP process to be issued:

- a. within two (2) weeks from adoption, authorized by City Council for \$30,000 - \$50,000 through one or several above current Departmental budgets;
- b. responses received and jointly selected (City Council members and administrative Department) within two (2) weeks;
- c. conducted and completed within eight (8) weeks by an outside, independent academic or foundation source, including any of the following with such health economics experience: Commonwealth Fund; Kaiser Family Foundation; Harvard T.H.Chan School of Public Health; Bloomberg Johns Hopkins School of Public Health; Columbia University School of Public Health; Boston University School of Public Health; or another; and be it

RESOLVED, costs and benefits be compared with statewide health plan(s), in consultation of Office of Comptroller; and be it finally

RESOLVED, that City Council rejects further substitutions and continuations of HDHP/HSA plans rather than traditional health plans until thorough analysis and comparisons as above have been performed and accepted as policy by City Council.

INTRODUCED BY

COURT OF COMMON COUNCIL

Councilperson Larry Deutsch

28 May 2019

WHEREAS, established law and the US Constitution guarantee the right to a fair trial among peers and the right to appeal with a fair and impartial review or Hearing, and

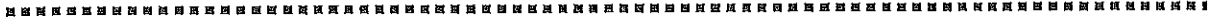
WHEREAS, the United States Supreme Court in Miller v. Alabama and Jackson v. Arkansas has held that special circumstances apply for lengthy sentences applied to those whose crime was committed as a youth, and

WHEREAS, countless bodies of scientific, medical, and psychological studies confirm the validity of concepts of "lessened culpability" and "capacity for change" as cited by the Supreme Court, and

WHEREAS, current law in Connecticut permits denial by the Office of States' Attorney [prosecutor] of this right to review an original sentence through a different, judicially-independent, non-prosecutorial mechanism for a fair and impartial Sentence Modification Hearing as now exists under Connecticut law and

WHEREAS, in the administration of justice in Hartford and globally there may enter local prejudices and attitudes which color punishment practices including sentence length when applied to an individual and category (age, race, gender orientation, national or religious background, equity in legal representation, etc.), therefore be it

RESOLVED, that the City of Hartford Court of Common Council urges legislators in the State Assembly to consider and support prompt legislation for unimpeded Sentence Modification Hearing through amendment to a related justice reform bill at this time (during this session), or as one proposal for any coming Special Session, or as early introduction for next Session.



Reference (edited)

Cite as: 567 U. S. \_\_\_\_ (2012) Opinion of the Court:

SUPREME COURT OF THE UNITED STATES Nos. 10-9646 and 10-9647 EVAN MILLER, PETITIONER 10-9646 v. ALABAMA ON WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS OF ALABAMA KUNTRELL JACKSON, PETITIONER 10-9647 v. RAY HOBBS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION ON WRIT OF CERTIORARI TO THE SUPREME COURT OF ARKANSAS [June 25, 2012] JUSTICE KAGAN delivered the opinion of the Court. The two 14-year-old offenders in these cases were convicted of murder and sentenced to life imprisonment without the possibility of parole. In neither case did the sentencing authority have any discretion to impose a different punishment. State law mandated that each juvenile die in prison even if a judge or jury would have thought that his youth and its attendant characteristics, along with the nature of his crime, made a lesser sentence (for example, life with the possibility of parole) more appropriate. Such a scheme prevents those meting out punishment from considering a juvenile's "lessened culpability" and greater "capacity for change," Graham v. Florida, 560 U. S. \_\_\_\_.

2 MILLER v. ALABAMA Opinion of the Court \_\_\_\_ (2010) (slip op., at 17, 23), and runs afoul of our cases' requirement of individualized sentencing for defendants facing the most serious penalties. this Court held in Graham v. Florida that life without parole violates the Eighth Amendment when imposed on juvenile nonhomicide offenders. After the parties filed briefs addressing that decision, the Arkansas Supreme Court affirmed the dismissal of Jackson's petition. See Jackson v. Norris, 2011 Ark. 49, \_\_\_\_ S. W. 3d \_\_\_\_\_. The majority found that Roper and Graham were "narrowly tailored" to

their con-texts: “death-penalty cases involving a juvenile and life-imprisonment-without-parole cases for nonhomicide of \_\_\_\_\_  
Jackson was ineligible for the death penalty under *Thompson v. Oklahoma*, 487 U. S. 815 (1988) (plurality opinion), which held that capital punishment of offenders under the age of 16 violates the Eighth Amendment.

4 *MILLER v. ALABAMA* Opinion of the Court offenses involving a juvenile.” .... Two justices dissented. They noted that Jackson was not the shooter and that “any evidence of intent to kill was severely lacking.” .... And they argued that Jackson’s mandatory sentence ran afoul of Graham’s admonition that “[a]n offender’s age is relevant to the Eighth Amendment, and criminal procedure laws that fail to take defendants’ youthfulness into account at all would be flawed.” .... for the first time in this Court, Arkansas contends that Jackson’s sentence was not mandatory. On its view, state law then in effect allowed the trial judge to suspend the life-without-parole sentence and commit Jackson to the Department of Human Services for a “training-school program,” at the end of which he could be placed on probation. ....

Relying in significant part on testimony from Smith, who had pleaded to a lesser offense, a jury found Miller guilty. He was therefore sentenced to life without the possibility of parole. The Alabama Court of Criminal Appeals affirmed, ruling that life without parole was “not overly harsh when compared to the crime” .... The Alabama Supreme Court denied review. We granted certiorari in both cases, see 565 U. S. (2011) (No. 10–9646); 565 U. S. (2011) (No. 10–9647), and now reverse. ¶ The Eighth Amendment’s prohibition of cruel and unusual punishment “guarantees individuals the right not to be subjected to excessive sanctions.” *Roper*, 543 U. S., at 560. That right, we have explained, “flows from the basic precept of justice that punishment for crime should be graduated and proportioned” to both the offender and the offense. .... [t]he concept of proportionality is central to the Eighth Amendment.” *Graham*, 560 U. S., at \_\_\_ (slip op., at 8). And we view that concept less through a historical prism than according to “the evolving standards of decency that mark the progress of a maturing society.” *Estelle v. Gamble*, 429 U. S. 97, 102 (1976).... (The cases before us implicate two strands of precedent reflecting our concern with proportionate punishment. .... So, for example, we have held that imposing the death penalty for nonhomicide crimes against individuals, or imposing it on mentally retarded defendants, violates the Eighth Amendment. .... Graham further likened life without parole for juveniles to the death penalty itself, thereby evoking a second line of our precedents. ...

*Roper* and *Graham* establish that children are constitutionally different from adults for purposes of sentencing. Because juveniles have diminished culpability and greater prospects for reform, we explained, “they are less deserving of the most severe punishments.” *Graham*, 560 U. S., at \_\_\_ (slip op., at 17). Those cases relied on three significant gaps between juveniles and adults. First, children have a “lack of maturity and an underdeveloped sense of responsibility,” leading to recklessness, impulsivity, and heedless risk-taking. “are more vulnerable . . . to negative influences and outside pressures,” including from their family and peers; they have limited “contro[ll] over their own environment” and lack the ability to extricate themselves from horrific, crime-producing settings. *Ibid.* And third, a child’s character is not as “well formed” as an adult’s; his traits are “less fixed” and his actions less likely to be “evidence of irrevocabl[e] deprav[ity].” *Id.*, at 570. Our decisions rested not only on common sense—on what “any parent knows”—but on science and social science as well. *Id.*, at 569. In *Roper*, we cited studies showing that “[o]nly a relatively small proportion of adolescents” who engage in illegal activity “develop entrenched patterns of problem behavior.” ....

And in *Graham*, we noted that “developments in psychology and brain science continue to show fundamental differences between juvenile and adult minds”—for example, in “parts of the brain involved in behavior control.” 560 U. S., at \_\_\_ (slip op., at 17).<sup>5</sup> We reasoned that those findings—of transient rashness, proclivity for risk, and inability to assess consequences—both lessened a child’s “moral culpability” and enhanced the prospect that, as the years go by and neurological development occurs, his “deficiencies will be reformed.” *Roper and Graham emphasized that the distinctive at- tributes of youth diminish the penological justifications for imposing the harshest sentences on juvenile offenders, even when they commit terrible crimes.* Because “[t]he heart of the retribution rationale” relates to an offender’s blameworthiness, “the case for retribution is not as strong with a minor as with an adult.” .... Nor can deterrence do the work in this context, because “the same characteristics that render juveniles less culpable than adults”—their immaturity, recklessness, and impetuosity—make them less likely to consider potential punishment (“Numerous studies post-*Graham* indicate that exposure to deviant peers leads to increased deviant behavior and is a consistent predictor of adolescent delinquency (..... Deciding that a “juvenile offender forever will be a danger to society” would require “mak[ing] a judgment that [he] is incorrigible”—but “incorrigibility is inconsistent with youth.”

11 Cite as: 567 U. S. \_\_\_ (2012) Opinion of the Court punishment, can render a life-without-parole sentence disproportionate. Cf. *id.*, at \_\_\_ (slip op., at 20–23) (generally doubting the penological justifications for imposing life without parole on juveniles). “An offender’s age,” we made clear in *Graham*, “is relevant to the Eighth Amendment,” and so “criminal procedure laws that fail to take defendants’ youthfulness into account at all would be flawed.” .... THE CHIEF JUSTICE, concurring in the judgment, made a similar point....



ITEM# 35 ON AGENDA

**INTRODUCTION**

James Sánchez, Majority Leader

**Court of Common Council**  
City of Hartford, May 28, 2019

**RESOLVED**, that State Delegation with the City of Hartford work collaboratively on passing a bill, where Major non-profits organization such as MDC any non -profit hospitals such as Saint Francis Healthcare Partners, Bushnell, etc., pay 20% of its real estate assessed property to the City of Hartford.