

October 4, 2012

## **SPECIAL MEETING OF THE COMMON COUNCIL**

**OCTOBER 4, 2012**

Mayor Timothy E. O'Brien called the Special Meeting of the Common Council to order on Thursday, the 4th day of October 2012 at 8:19 p.m. in the Common Council Chambers, City Hall.

Fifteen members were present at roll call: Ald. Trueworthy, Magnuszewski, Centeno, DeFronzo, Sanchez, Collins, Black, Carlozzi, Hermanowski, Platosz, Brown, Freeman, Pabon, Giantonio, and Bielinski.

City Clerk, Peter J. Denuzze gave the invocation: O God, our Heavenly Father, bless this Common Council at this emotionally charged meeting. Grant that cool heads prevail and that the outcome will be beneficial to all our citizens. We ask this in Thy name. Amen.

The City Clerk led the pledge to the flag.

Ald. Trueworthy moved to waive the reading of the Mayor's Warrant, seconded by Ald. Bielinski. So voted.

### **MAYOR'S WARRANT**

TO THE CLERK OF THE CITY OF NEW BRITAIN:

BY THE AUTHORITY OF THE STATE OF CONNECTICUT, YOU ARE HEREBY COMMANDED TO NOTIFY Michael Trueworthy, Suzanne Bielinski, Wilfredo Pabon, Tonilynn Collins, Eva Magnuszewski, Jamie Giantonio, Adam Platosz, Shirley Black, Rha-Sheen Brown, Carlo Carlozzi JR., Roy Centeno, Emmanuel R. Sanchez, Lawrence Hermanowski, J. Tobias Freeman, and David DeFronzo, Aldermen and Alderwomen of said City, that there will be a special meeting of the Common Council on Thursday, October 4, 2012 at 8:00 p.m. in the Council Chambers, 27 West Main Street, City Hall, for the following purposes:

1. To accept a report of the Planning, Zoning and Housing Committee on adoption of a new Section 14-400 of the Code of Ordinances to require a license for Residential Rental Property Businesses.
2. To consider adoption of a new Section 14-400 of the Code of Ordinances to require a license for Residential Rental Property Businesses.
3. To accept a report of the Planning, Zoning, and Housing Committee on adoption of a Resolution regarding Section 20-80 of Article III Chapter 20 of the Code of Ordinances.
4. To consider an adoption of the Resolution regarding Section 20-80 of Article III Chapter 20 of the Code of Ordinances.
5. To consider a resolution adopting surcharges on fees and fines.

HEREOF FAIL NOT, but due service and return make according to law.

Dated at New Britain on this 3rd day of October 2012.

Timothy E. O'Brien Jr  
Mayor

Ald. Giantonio moved to suspend the rules in order to allow public participation, seconded by Ald. Carlozzi. After consulting with the Corporation Counsel, the Mayor ruled the motion out of order.

## COMMITTEE ON PLANNING, ZONING AND HOUSING

### 31989-1 RE: PROPOSED AMENDMENT TO THE ORDINANCES ADDING SEC. 14-400 REQUIRING A LICENSE FOR RESIDENTIAL RENTAL PROPERTY BUSINESSES

To His Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

The Committee on Planning, Zoning and Housing at a regular meeting and public hearing held on Tuesday evening, October 2, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #31989 – Code of Ordinances be amended by inserting new Section 14-400 into Article XVIII of Chapter 14, concerning licensure of residential property businesses voted to remove from the table as amended, and accept and recommend that the following resolution be referred back to the Common with a neutral recommendation.

Alderman Roy Centeno  
Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 5th day of October 2012.

## RESOLUTION

### 31989-2 RE: AMENDMENT TO THE ORDINANCES ADDING SEC. 14-400 REQUIRING A LICENSE FOR RESIDENTIAL RENTAL PROPERTY BUSINESSES

To His Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

Resolution Summary: PURPOSE: To add Section 14-400 of the Code of Ordinances to require a license for Residential Rental Property Businesses.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that the Code of Ordinances, City of New Britain, be amended by inserting a new Section 14-400 into Article XVIII of Chapter 14, concerning licensure of residential property businesses, to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

[NEW] Sec. 14-400 Residential Rental Property Business License

(a) This section is not intended to apply to: ~~Notwithstanding any other provisions of this section, no~~

1. A natural person and/or married couple ~~shall be required to be licensed pursuant to this section in order to lease or rent housing units in~~ that is renting or leasing a the residential rental property in which such person or married couple:

- (i) Has their primary residence (including an owner-occupant who owns the home through a limited liability corporation),
- (ii) Has had their primary residence within the previous two (2) years, if they remain residents of New Britain,
- (iii) Has inherited from their deceased parent(s) within the previous (2) years, if such natural person or married couple remains residents of New Britain, or
- (iv) Only have tenants who are blood relatives who pay no rent.

2. A building operated by a non-profit organization which primarily provides recreational and youth services and the renting or leasing of apartments is not the main purpose of the building,

3. A building which is operated as a shelter for victims of domestic abuse.

(b) For the purposes of this section, the following definitions shall apply:

1. "Applicant" means the person seeking or required to be licensed or have a license renewed under this section.
2. "Dwelling" means any building located in the city, which is wholly or partly used or intended to be used for living or sleeping by human occupants. For purposes of this article, the term shall be synonymous with "residential rental property." "Housing unit" means a single family house, an apartment or such other unit clearly designed for habitation by a single household.
3. "Dwelling Unit" means any room or group of rooms located within a dwelling, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.
4. "Licensee" means any person with a valid license pursuant to this section.
5. "Licensing official" means the head of the Licenses and Inspections Division of the Community Services Department or such other person(s) as may be authorized as such by the head of the Licenses and Inspections Division of the Community Services Department or the Mayor.
6. "Own" or "Owner" means any person, who either alone or jointly or severally with others:

(1) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or

(2) Shall have charge, care, or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provision of this article, and to the rules and regulations adopted pursuant thereto, to the same extent as if he/she was the owner.

~~Having primary control of a residential property, regardless of the legal ownership of said property. If requested by the head of the Licenses and Inspections Division of the Community Services Department, the Housing Board of Appeals may determine that a person other than the owner of record or a particular residential property to be the owner of said residential property for the purposes of this section, provided that (A) said determination is made after a hearing at which any interested party may permitted to comment or offer evidence, (B) any person who is proposed to be named the owner of a property was sent notices of said hearing at least thirty days before said hearing and (C) said Board can reasonably find that the person who it determines to be the owner is the person with primary control over the property in question.~~

7. "Ownership interest" means any or all of the following: (A) ownership as a proprietor, (B) ownership as a partner or as a member of a partnership, (C) having total or ~~five percent (5%)~~ twenty-five (25%) or greater ownership interest through a limited liability corporation, stock corporation, nonstock corporation or any other kind of business or (D) as a director or officer of any corporation.
8. "Residential rental property" means any building or structure containing apartments or other space for human dwelling, regardless of whether such apartments or space are occupied. Residential rental property shall refer only to buildings within the city.
9. "Residential rental property trade" means the trade or business of owning and renting or leasing residential rental properties.

10. "Residential rental property business" means any person, organization or corporation of any kind engaged in the residential rental property trade.
11. "Residential rental property business license" means a license issued and maintained according to the requirements of this section.

(c) The City of New Britain is committed to protecting the safety, health and welfare of its residents and to eliminate housing blight. Towards that end, the Common Council adopts this ordinance concerning the operation of residential rental property businesses.

(d) After February 1, 2013, it shall be unlawful to carry on the residential rental property trade in the city without a valid residential rental property business license obtained and maintained in accordance with this section. No person, organization or corporation shall own or operate a residential rental property business, be a residential rental property business nor hold any ownership interest in a residential rental property business without being licensed as a residential rental property business ~~license~~, in accordance with this section, either individually or jointly with other persons, organizations and/or corporations. A jointly held residential rental property business license may include a combination of individuals, organization and/or corporations and may allow partnerships owning and persons with an ownership interest in a residential rental property to operate a residential rental property business under a single license, but all persons, organizations, corporations and other entities included in such joint operation shall be both jointly and severally compliant with the provisions of this section.

(e) ~~The City Building Commission~~ Licenses and Inspections Division of the Community Services Department shall promulgate all of the necessary ~~regulations and fees forms and policies~~ to accept applications for, to issue and to revoke all residential rental property business licenses according to the provisions of this section ~~and such other regulations and fines as shall be necessary to enforce the provisions of this section.~~ The Licenses and Inspections Division of the Community Services Department shall determine the eligibility for licensure pursuant to this section and shall issue all residential rental property business licenses and renewals of the same. Any applicant aggrieved by a decision under this section may appeal said decision within thirty days after notice of such decision is sent by informing the Licenses and Inspections Division of the Community Services Department, in writing, that he/she/it desires to appeal. Upon receipt of said appeal, ~~the said official~~ division shall inform the chair of the Housing Board of Appeals, who shall call a meeting of said Board to hear said appeal. The Housing Board of Appeals shall have the power to alter the ~~decision in question~~ determination of the Licenses and Inspections Division of the Community Services Department if it finds that the facts do not support the decision. Any residential rental property business license issued or renewed under order from the Housing Board of Appeals shall include, in the text of the license, such caveats, restrictions and requirements as said Board shall deem necessary and appropriate.

(f) To maintain a residential rental property business license, a person, corporation or other entity shall be in compliance with the following:

1. He/she/it shall not own nor have an ownership interest in any properties classified as blighted premises according to the Code of Ordinances with blighting conditions that have remained unremedied for more than six months.
2. He/she/it shall not own nor have an ownership interest in any properties with building, housing, health or fire code violations that have remained unremedied for more than six months.
3. He/she/it shall not own nor have an ownership interest in any residential properties left abandoned for more than one year.
4. He/she/it shall disclose, to the director of licenses, permits and inspections, all properties in the city he/she/it owns or has an ownership interest in.
5. If the applicant or licensee is not a natural person, the applicant or licensee shall disclose to the Licenses and Inspections Division the names and residential

addresses of all persons with any ownership interest of greater than ~~five percent (5%)~~ twenty-five (25%) in said applicant or licensee.

6. The applicant and no person with an ownership interest in the applicant of greater than ~~five percent (5%)~~ twenty-five (25%) has either had a residential property business license revoked pursuant to this section or was deemed ineligible to be licensed pursuant to this section within three years of the date that the present application was received.
7. If the applicant or licensee is not a natural person, each person, corporation or other entity with ownership interest of greater than ~~five percent (5%)~~ twenty five (25%) in said applicant or license holder shall meet the requirements of subdivisions (1) to (9), inclusive, and subdivision (11) of this subsection.
8. He/she/it shall comply with such other requirements as the Licenses and Inspections Division or the Housing Board of Appeals shall provide, in writing, in the text of the license or license renewal.
9. He/she/it shall, within thirty days of receiving it, fully and truthfully answer all questions contained on an interrogatory sent by the Licenses and Inspections Division designed to ascertain any information or facts required pursuant to this section.
10. He/she/it shall comply with the provisions of subsections (i) and ~~(j)~~ of this section.

(g) Each residential rental property business license shall be issued or renewed for a term of one year, subject to the power of the city to revoke for cause. No residential rental property business license shall be issued or renewed until the applicant has paid a fee in the amount of one hundred fifty dollars (\$150.00) per dwelling unit, ~~calculated as five percent (5%) of the rents charged for units covered by the license, based on current rent levels, for the term of the license.~~

(h) If any licensee fails to conform to the requirements of subsection (f) of this section during the term of the license, the Licenses and Inspections Division may revoke the license. Such license shall be deemed revoked when the Licenses and Inspections Division mails to said licensee a letter notifying him/her/it that said license is revoked and the reasons for said revocation. If the licensee informs the Licenses and Inspections Division, in writing, within thirty days after said letter is mailed that he/she/it desires to appeal said revocation, said Division shall inform the chair of the Housing Board of Appeals, who shall call a meeting of said Board to hear said appeal. The Housing Board of Appeals shall have the power to alter the determination of the Licenses and Inspections Division if it finds that the facts do not support a revocation of the license according to this section or said board may suspend said revocation upon such conditions as it may determine. If such an appeal has been requested, no fines shall be charged until after final disposition of the matter by the Housing Board of Appeals or until such date as said board shall determine. Any person whose license has been revoked according to this section shall be deemed to not be licensed pursuant to this section.

(i) Any person not in compliance with subsection (d) of this section shall be deemed in violation of this section. In such case, each separate housing unit shall be deemed as a separate offense and each day said person engages in the residential property trade within the city without a license shall be deemed a separate offense. Any person in violation of this section shall be fined two-hundred and fifty dollars (\$250) for each said offense. Failure to pay this fine within sixty days shall constitute a debt in favor of the city. In enforcement of this debt, the city may place a lien upon any real estate owned by the person who has been fined. Each such lien may be continued, recorded and released in the manner provided by the Connecticut General Statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over other liens and encumbrances filed after the effective date of this ordinance to the fullest extent permitted by law, except taxes, and may be enforced in the same manner as property tax liens. In addition to placing a lien against the property for failure to pay such fine, the city may bring a civil action against the debtor in a court of competent jurisdiction to recover such debt.

October 4, 2012

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Ald. Trueworthy moved to amend paragraph G by adding the words "per dwelling unit" following "\$150.00". Motion seconded by Ald. Bielinski. Amendment carried. Ald. Giantonio moved to further amend by changing "5%" to "25%" wherever it appears in the resolution, motion seconded by Ald. Trueworthy. Amendment carried. Roll call vote on resolution as amended twice – 11 in favor, 4 opposed. IN FAVOR: Ald. Trueworthy, Magnuszewski, DeFronzo, Sanchez, Collins, Black, Hermanowski, Platosz, Brown, Freeman and Bielinski. OPPOSED: Ald. Centeno, Carlozzi, Pabon and Giantonio. Approved by Mayor Timothy O'Brien Jr. the 5th day of October 2012.

## COMMITTEE ON PLANNING, ZONING AND HOUSING

### 32023-1 RE: PROPOSED AMENDMENT TO SEC. 20-80 OF THE ORDINANCES REGARDING FEES FOR EXCESSIVE EMERGENCY CALLS

To His Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to report the following:

The Committee on Planning, Zoning and Housing held a regular meeting and public hearing on Tuesday evening, October 2, 2012 at 7:00 p.m. in the Council Chambers to which was referred the matter of Item #32023 – Section 20-80 of Article III Chapter 20 of the Code of Ordinances be amended regarding Revised Fees for Excessive Emergency Calls voted to accept and recommend that the following resolution be referred back to the Common Council with a neutral recommendation.

Alderman Roy Centeno  
Chair

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. So voted. Approved by Mayor Timothy O'Brien Jr. the 5th day of October 2012.

## RESOLUTIONS

### 32023-2 RE: AMENDMENT TO SEC. 20-80 OF THE ORDINANCES REGARDING FEES FOR EXCESSIVE EMERGENCY CALLS

To His Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

Resolution Summary: PURPOSE. To generate revenue to reimburse the City of New Britain for the costs incurred in making excessive responses to the same property.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN, Section 20-80 of Article III Chapter 20 of the Code of Ordinances be amended to read as follows (inserted text appears in underline; deleted text appears in ~~strike through~~; new sections begin with the word [new]):

#### ARTICLE III. FEE FOR ~~SECOND~~ EXCESSIVE RESPONSES

Sec. 20-80. Fee for excessive responses by ~~the police and fire~~ City departments.

(a) Purpose. It is the purpose of this article to recover the city's costs for excessive responses ~~for neighborhood impact violations~~ by the police department, fire department, public safety telecommunications and other city services. Excessive calls ~~for neighborhood impact violations~~ are a drain on personnel and resources often leaving other areas of the city without adequate levels of ~~police~~ protection and service, which creates a hazard to the public, requires resources over and above the level of ~~police~~ services normally provided and constitutes a public nuisance, the costs for which should be paid by the responsible person.

(b) Definitions. For the purpose of this article, the following definitions shall apply:

~~(1) Fine means ninety-nine dollars (\$99.00).~~

~~(1) (2) Costs shall include an amount equal to the rate of compensation to which the responding city employees are paid under the terms of the applicable collective bargaining agreement as of the date of such response plus a surcharge of ten (10) per cent of such amounts to cover the costs of administration in providing such municipal response be calculated by (A) determining the amount of the aggregate responses to the addresses receiving the highest number of responses, as a proportion of total responses to addresses by police or fire personnel, respectively, (B) determining this proportion of the total budget of the police or fire department, respectively, and (C) dividing this proportion of the total budget by the number of responses to said addresses receiving the highest number of responses. These costs shall be calculated separately for police and fire responses.~~

~~(3) Neighborhood impact violations include but are not limited to disturbance of the peace in violation of Sections 53a-181, 53a-181a, or 53a-182 of the General Statutes; abandoned vehicles, loud music, party, drug use or sale and/or prostitution.~~

~~(2) (4) Non-owner occupied means the property is not inhabited by the owner of record.~~

~~(3) (5) Owner of property means the owner of record.~~

~~(4) (6) Party includes a gathering or event where a group of persons have assembled or are assembling on private property for a social occasion or social activity which may constitute a disturbance of the peace in violation of Connecticut Penal Code sections 53a-181, 53a-181a and 53a-182.~~

~~(5) (7) Responsible person is the person or persons who are in charge of the premises or who organized the party. If the responsible person is a minor, then the minor's parents or guardians will jointly and severally be liable for the costs.~~

~~(6) (8) Verified police response means a response by the police department to a complaint of a neighborhood impact violation where the responding officer confirms that a violation is in fact occurring fire department or other City department to a particular address for anything other than the following:~~

~~(A) A crime in progress in which the safety of person(s) are at risk.~~

~~(B) Domestic violence or a person being on or near the premises in violation of a protective order.~~

~~(C) A medical emergency.~~

~~(D) An arrest for violation of a trespass affidavit.~~

~~(E) A situation having nothing to do with the property in question other than being in the street in front of the property.~~

~~(9) Second or subsequent responses as used in this section means and includes any verified police response by police to a party and shall be limited in its application to any "responsible person" as defined herein.~~

~~(7) (10) Excessive responses as used in this section means and includes any verified police response and shall be limited in its application to the property owner.~~

A. Response schedule:

1. Single-family dwelling: Over ~~two (2)~~ five (5) responses in a twelve-month period.

2. Two-family dwelling: Over ~~four (4)~~ seven (7) responses in a twelve-month period.

3. Three-family dwelling: Over ~~six (6)~~ eight (8) responses in a twelve-month period.

4. Four-family dwelling or larger or more other building configuration: Over eight (8) nine (9) responses in a twelve-month period.

5. Any second or subsequent response by police to a party shall constitute an "excessive response" for the purposes of this section and the second response shall require reimbursement of costs.

B. This section applies to all properties and building configurations, except those actually under the control of the city of New Britain and, including rental dwelling units whether or not owner-occupied.

(c) Notice, fine and registration of unit. ~~(1) For~~ When there has been a single response that may result in any second or subsequent response as defined in subsection (b)(8) herein and for as provided in this section or one response fewer than any excessive response as provided in this section as defined in subsection (b)(9) herein, the police department city through its Licenses and Inspections division shall deliver to the responsible person and/or owner of the property as applicable a "notice of violation: final response" which shall state substantially as follows:

"This notice of violation is given to you as a result of a final excessive calls for response by the City of New Britain personnel for a neighborhood impact violation to your property or for which you are responsible. You For any such further verified responses after the issuance of this notice, you will be charged ninety-nine dollars (\$99.00) as a result of any subsequent verified police response to this location for the costs of these responses, as determined by the city."

The notice may also contain such other information as deemed necessary by the ~~chief of police city~~ to accomplish the purposes of this section.

~~(2) (A) In addition any property containing three or more housing units requiring a verified police response as defined herein after the above-described final notice shall be required to register said property with the director of licenses, permits and inspections Licenses & Inspections division of the Community Services Department within twenty (20) days of said verified police response. The police department shall notify the director of licenses, permits and inspections within twenty (20) days of the verified police response after the final notice of the property address and name of the owner of the property required to be registered as well as the property owner.~~

~~(B) Upon registration, the property shall be inspected by the department of licenses, permits and inspections Licenses & Inspections division of the Community Services Department and the fire department to confirm that said property is in compliance with the building code and fire code. In addition the department of licenses, permits and inspections Licenses & Inspections division of the Community Services Department and fire department shall inspect the property every six (6) months for the twelve-month period following the date of registration of the property with the director of licenses, permits and inspections. If during this twelve-month period the property has no more verified police responses, the registration and inspection process will cease. If, however, during this twelve-month period the property has had additional verified police responses, the registration and inspections shall continue until such time as the property completes a twelve-month period without any verified police response. Upon the registration of the property, the owner shall pay an inspection fee of thirty-five dollars (\$35.00) per apartment unit.~~

~~(d) [Retaining funds.] All funds collected under subsection (c) of this section for subsequent responses by the police shall be retained by the police department. All funds collected under subsection (c) of this section for registration and inspections shall be retained within the department of license permits and inspections for the exclusive use of administration and enforcement of this section.~~

~~(e) [Exceptions.] No provision of the section shall be applicable to cooperative housing associations whereby all units are owner-occupied.~~

~~(d) (f) Reports to mayor and common council. The director of licenses, permits and inspections Licenses & Inspections division of the Community Services Department shall report to~~

the mayor and the common council no later than October 1 of each year thereafter the number of registrations and inspections performed.

(e) ~~(g)~~ Rent recovery. Any owner or lessor whose property is required to be registered with the ~~department of licenses, permits and inspections~~ Licenses & Inspections division of the Community Services Department under subsection (c) cannot recover rent unless said registration is obtained. Any owner who recovers rent for the occupation of any apartment or dwelling unit for which a registration has not been obtained, shall be liable for a fine of twenty dollars (\$20.00) per day for not more than two hundred (200) days for such period of unlawful occupation. Failure to pay this fine within sixty (60) days shall constitute a debt in favor of the city.

~~(h) [Effective date.] This section shall become effective on August 15, 2007.~~

(f) ~~(f)~~ Bill for costs. If the city is required to make a second or subsequent or excessive responses as defined herein ~~to a party~~ and a "notice of violation: final response" has been delivered to the responsible person and/or the property owner as applicable, or publicly advertised, as determined by the city, then the city through the Licenses and Inspections division shall compute the costs of such response. A bill for the costs incurred by the city for each chargeable response shall be prepared and delivered to the responsible person and/or property owner as applicable who shall be liable for its payment. The amount of the charges shall be deemed a debt to the city of the responsible person and/or property owner as applicable who shall be liable in an action brought in the name of the city for recovery of such amount, including reasonable attorney's fees.

(g) ~~(f)~~ Enforcement.

(1) ~~The chief of police shall notify the finance director in writing upon the rendering of such police services, of the name and address of the responsible person and/or property owner as applicable, the date and time of the incident and the services performed and the costs thereof and such other information as maybe required.~~ The Licenses & Inspections division of the Community Services Department shall keep records of responses to each property from the records of the city Public Safety Telecommunications division. Said Licenses & Inspections division shall determine the verified responses from these records and any additional research needed. Said Licenses & Inspections division provide the Finance Director, at minimum monthly, with a list of second or subsequent responses and excessive responses, together with the amount of the bills for the costs, as determined in subsection (i) of this section. The finance director shall thereafter cause appropriate billings to be made and shall cause said to be collected.

(2) The finance director is authorized to adopt appropriate procedures for billing and other matters necessary for the administration of this section. All billing invoices shall be mailed within thirty (30) days.

(h) ~~(k)~~ Appeal. Any person aggrieved by any decision ~~of the finance director~~ to bill for costs of subsequent responses may appeal pursuant to section 1-17 of the Code of Ordinances.

(Ord. of 1-92; Ord. of 10-98; No. 27117-1, 9-11-02; Res. No. 29495-2, 4-25-07)

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. Roll call vote – 11 in favor, 4 opposed. IN FAVOR: Ald. Trueworthy, Magnuszewski, DeFronzo, Sanchez, Collins, Black, Hermanowski, Platosz, Brown, Freeman and Bielinski. OPPOSED: Ald. Centeno, Carozzi, Pabon and Giantonio. Approved by Mayor Timothy O'Brien Jr. the 5th. day of October 2012.

**32052 RE: SURCHARGES ON ALL FINES AND FEES RELATED TO SEVERAL REVENUE LINE ITEMS**

October 4, 2012

To His Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

Whereas, The amounts of fines and fees in the city have not been keeping up with the rising costs of providing services, Now, therefore be it;

Resolved, By the Common Council of the City of New Britain that there shall be surcharges on all fines and fees related to the following city revenue line items:;001102006-4323;001106001-4327;001107001-4402;001109001-4474;001211002-4317;001211002-4402;001212004-4324;001214002-4300;001214002-4301;001214002-4302;001214002-4303;001214002-4304;001214002-4305;001214002-4306;001214002-4326;001214002-4561;001315002-4320;001315002-4321;001315002-4325;001315004-4322;001315004-4446;001315004-4447;001315004-4449;001315004-4451;001315004-4452;001315004-4454;001315004-4455;001316005-4472;001316006-4456;001316006-4477;001316006-4562;001316008-4464;001316009-4464;001316010-4464;001316011-4464;001521002-4475;001522003-4319, and be it further;

Resolved, That these surcharges shall be in an amount that is a multiple of the aforementioned fines and fees existing as of the effective date of this resolution, which multiple shall in an amount such that city revenues will be increased by \$3,500,000 while setting the multiple for surcharge on the fines and fees related to the following city revenue line items by an increment that is 50% of the fines and fees related to the other aforementioned line items: 001316008-4464; 001316009-4464;001316010-4464;001316011-4464, and be it further;

Resolved, That this resolution shall have effect from approval and until the Common Council adopts a resolution that rescinds this resolution.

Alderman Michael Trueworthy

Ald. Trueworthy moved to accept and adopt, seconded by Ald. Bielinski. RESOLUTION ADOPTED with Ald. Pabon and Ald. Giantonio opposed. Approved by Mayor Timothy O'Brien Jr. the 5th day of October 2012.

There being no further business to come before the Council, Ald. Trueworthy moved to adjourn, seconded by Ald. Bielinski. So voted. Meeting adjourned at 9:24 p.m.

ATTEST: Peter J. Denuzze, City Clerk

October 4, 2012