

CODE OF ORDINANCES
City of
NEW BRITAIN, CONNECTICUT
Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 32801-2, adopted August 13, 2014.

See the Code Comparative Table—Ordinances for further information.

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Checklist of Up-to-Date Pages

(This checklist will be updated with the printing of each Supplement)

From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

In the first column all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. The letters "OC" indicate the pages have not been reprinted in the Supplement Service and appear as published for the original Code. When a page has been reprinted or printed in the Supplement Service, this column reflects the identification number or Supplement Number printed on the bottom of the page.

In addition to assisting existing holders of the Code, this list may be used in compiling an up-to-date copy from the original Code and subsequent Supplements.

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code Book and are considered "Includes." Ordinances that are not of a general and permanent nature are not codified in the Code Book and are considered "Omits."

In addition, by adding to this table with each supplement, users of this Code of Ordinances will be able to gain a more complete picture of the Code's historical evolution.

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Sec. 1-15. General penalty.

Whenever in this Code or any other ordinance of the city, or rule or regulation promulgated by any officer thereof under authority vested in him by law or ordinance, any act is prohibited or is declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful, where no specific penalty is provided, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding ninety dollars (\$90.00). Each day any such violation shall continue shall constitute a separate offense.

The imposition of any punishment hereunder shall not prevent the enforced abatement of any unlawful condition by the city.

In all cases where the same offense is made punishable or is created by different clauses or sections of this Code, the corporation counsel may elect under which to proceed; but not more than one (1) recovery shall be had against the same person for the same offense.

Any condition caused or permitted to exist in violation of any of the provisions of this Code, officially designated as such and each day that such condition continues shall be regarded as a new and separate offense.

(Code 1970, §§ 1—7, 1-8; Ord. of 5-86; Ord. No. 28269-2, 11-18-04)

Cross references—Offenses and miscellaneous provisions, Ch. 16; police, Ch. 20.

State law reference—Penalty limitations, G.S. 7-148.

Sec. 1-16. Certain ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code shall be construed to repeal or otherwise affect the validity of any of the following:

- (1) Any ordinance promising or guaranteeing the payment of money for the city, or any evidence of the city's indebtedness;
- (2) Any appropriation ordinance or ordinance providing for the levy of taxes or for an annual budget;
- (3) Any ordinance annexing territory to the city or excluding territory as a part of the city;

- (4) Any ordinance granting any franchise, permit or other right;
- (5) Any zoning ordinance;
- (6) Any subdivision ordinance;
- (7) Any ordinance creating a special services district;
- (8) Any ordinance approving, authorizing or otherwise relating to any contract, agreement, lease, deed or other instrument;
- (9) Any ordinance adopting a preliminary plan or development plan;
- (10) Any temporary or special ordinance;
- (11) Any ordinance enacted after September 21, 1983;

and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length herein.

Sec. 1-17. Procedure for enforcement of municipal ordinances.

(a) *Appointment of hearing officers.* In accordance with section 7-152c of the Connecticut General Statutes, the following procedure is established for the enforcement of citations for violation of the ordinances of the City of New Britain. This section shall not apply to existing sections of the Code of Ordinances which already have an appeal or hearing procedure contained therein. The mayor as the chief executive officer of the city is hereby authorized to appoint a committee of no less than three (3) hearing officers to conduct hearings as authorized by this article. No such hearing officer shall be a police officer, or employees or persons who issue citations. No such hearing officer or person working under the direction of such hearing officer may otherwise directly or indirectly engage in the private business of collecting the fines, assessments or judgments imposed hereunder. All such citation hearing officers shall serve for a term of two (2) years.

(b) *Notice to persons issued citations.* Within twelve (12) months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 of the Connecticut General Statutes, the

director of the department of licenses, permits and inspections or his or her designee shall send notice to inform the person cited by first-class mail at his address according to the City of New Britain land records and/or tax records. Such notice shall inform the person cited:

- (1) Of the allegation against him and the amount of the fines, penalties, and costs of fees due;
- (2) That he/she may contest his/her liability before a citation hearing officer by delivering in person or by mail written notice within ten (10) days of the date thereof;
- (3) That if he/she does not demand such a hearing, an assessment and judgment shall enter against him/her; and
- (4) That such judgment may issue without further notice.

(c) *Admission of citation violation.* If the person receiving the notice required pursuant to subsection 1-17(b) hereof does not either (a) pay the full amount of the fines, penalties, costs or fees without requesting a hearing, or (b) request a hearing as provided herein, within ten (10) days after the date of such notice, such person shall be deemed to have admitted liability and the mayor and his or her designee shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinance and shall follow the procedures set forth herein. If the person who is sent notice pursuant to subsection 1-17(b) wishes to admit liability for any alleged violation, he/she 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 director of the department of licenses, permits and inspections or his or her designee. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment.

(d) *Appeal process.* Any person receiving a notice pursuant to subsection 1-17(b) of this article may request a hearing by mailing or delivering such request in writing to the hearing officer at the place designated within ten (10) days after

the date of such notice. The chair of the hearing committee shall promptly schedule a hearing and give notice of the date, time and place of such hearing to the person requesting it. Such hearing shall be held not less than fifteen (15) nor more than thirty (30) days from the date of the mailing of notice, provided the chair of the hearing committee shall grant any reasonable request by any interested party for postponement or continuance upon good cause shown. An original certified copy of the initial notice of citation issued by the police officer or other issuing officer or employee shall be filed and retained by the city, and shall be deemed to be a business record within the scope of section 52-180 [of the Connecticut General Statutes] and evidence of the facts contained therein. The presence of the policeman or issuing officer or employee shall be required at the hearing if the person requesting the hearing so requests. A designated city official or employee, other than a hearing officer, may present evidence on behalf of the city. If such person fails to appear at a hearing, the presiding hearing officer may enter an assessment of default against him/her, in the amount of the fines, penalties, costs or fees provided for by the applicable ordinance. The hearing committee may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he/she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.

(e) *Decision of hearing officer; failure to pay assessment.* The hearing committee presiding at any hearing convened in accordance with the provisions of this article shall announce his/her decision at the end of the hearing. If the hearing committee determines the person is not liable, they shall dismiss the matter and enter their determination in writing accordingly provided however, that any decision may not provide a waiver of compliance with any municipal ordinance. If the hearing committee determines the person is liable for the violation, they shall forth-

with enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinance. If such assessment is not paid on the date of its entry, the chair of the hearing committee shall send by first-class mail a notice of assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice or assessment with the clerk of a superior court facility designated by the chief court administrator, together with an entry fee of eight dollars (\$8.00), or such other amount as may from time to time be required by law, and request that said clerk enter judgment against such person in favor of the City of New Britain as provided in this article. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one (1) record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars (\$8.00), against such person in favor of the municipality. Notwithstanding any provision of the general statutes, the hearing committee assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(f) *Right to judicial review.* The person against whom an assessment has been entered in accordance with this article is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee for a small claims case pursuant to section 52-259 [of the Connecticut General Statutes], at the superior court facility designated by the chief court administrator, which shall entitle such person to a hearing in accordance with the rules of the judge of the superior court.

(Res. No. 29317-4, 11-8-06; Res. No. 32750-2, 8-13-14)

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***Cross references**—Board of fire commissioners, § 8-16 et seq.; fire department, § 8-31 et seq.; flood and erosion control, § 9-21 et seq.; board of health, § 12-21 et seq.; administration and enforcement of housing code, § 13-36 et seq.; traffic committee, § 15-26 et seq.; board of park and recreation commission, § 17-16 et seq.; plan commission, § 19-16 et seq.; conservation commission, § 19-31 et seq.; police department, § 20-21 et seq.; collector of taxes, § 22-26 et seq.; board of water commissioners, § 23-131 et seq.

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Sec. 2-22. Public participation sessions and conduct during council meetings.

(a) There shall be public participation sessions held prior to each special and regular common council meeting commencing at the posted start time of a special meeting and 7:00 p.m. for a regular meeting. During public participation sessions, members of the public shall be afforded the opportunity to address the members of the common council on any matters concerning the operations of city government as well as on matters on the agenda of the meeting. The presiding officer shall call three (3) times for any additional speakers prior to closing any public participation session. Public comment shall be limited to no less than three (3) minutes per speaker, per meeting.

(b) Council meetings, special or regular, must be attended by the respective department heads, or their designee, who will respond to any questions by members of the body concerning the operation of their respective department. Individuals who insist on making slanderous remarks, in engaging in or behaving in a disruptive, disorderly or discourteous manner will not be allowed to continue in attendance at such a meeting. If such behavior cannot be contained, the meeting for that date will be terminated. No placards, slogans or banners shall be allowed into the council chambers at such a meeting or public participation session.

(Code 1970, § 2-9(a); Ord. of 4-82; Ord. of 5-96; Ord. of 5-98; Ord. of 5-00; Res. No. 32472-2, 10-9-13; Res. No. 32472-5, 3-12-14)

Editor's note—Res. No. 32472-5, adopted March 12, 2014, changed the title of § 2-22 from "Public participation sessions" to "Public participation sessions and conduct during council meetings." This historic notation has been preserved for reference purposes.

Sec. 2-23. Special meetings—Authority to call.

(a) *Mayor or president pro tem.* The mayor, or in case of his disability or absence from the city, the president pro tempore of the common council, may at any time call a special meeting of the council.

(b) *Request of aldermen.* Upon written request of five (5) aldermen, the mayor, or in case of his disability or absence from the city, the president

pro tempore of the common council, shall call a special meeting of the common council, which meeting shall be called within five (5) business days after receipt of such request.

(Code 1970, § 2-10; Ord. of 12-73)

Sec. 2-24. Same—Procedure for calling; notice to members.

(a) *Warrant.* Special meetings of the council shall be called by issuing a warrant to the clerk requiring him to notify all members of the council that a special meeting will be held at the time and place designated in the warrant.

(b) *Notice of members.* Notice of special meetings of the council shall be given by mailing to their last known place of abode or having delivered by police messenger to each member of the council, at least twenty-four (24) hours prior to the meeting, true copies of the warrant endorsed by the clerk along with copies or adequate summaries of the business matters proposed to be acted upon at such meeting.

(Code 1970, § 2-11)

Sec. 2-25. Attendance of alderpersons at meetings of boards, commissions and agencies; location of meetings; notice; schedule of meetings.

(a) *Alderpersons may attend any meetings.* The members of the council, or any of them, may attend the regular, special, or other meetings of all boards, commissions, and agencies when, in their discretion, their presence would best serve the interests of the city. All alderpersons shall be ex officio members of any committee or subcommittee of the common council and in that capacity shall have the right to attend executive sessions. Said ex officio members shall not count as members for purposes of determining a quorum. Alderpersons shall have access to any public record in city hall and may call upon any department head to produce, upon request, any public record or produce reports for said alderperson(s) within an amicable and agreed upon time period between said alderperson and any department head. No approval or referral by any other authority shall be needed for said request.

(b) *Chair to recognize.* The chair shall recognize and permit any question propounded by any council member in attendance.

(c) *Location; notice.* Effective immediately, all meetings of municipal board and commissions must be held in public buildings owned or leased by the city, unless notice of meetings outside of city property have been given, in writing, to the mayor, members of the common council and the town clerk, at least seven (7) days in advance of said meetings. No meetings of any board or commission of the city shall be held unless twenty-four (24) hours' notice has previously been given to the mayor; members of the common council and the town clerk, to be properly publicized.

(d) *Time of meetings.* No regular meeting of any city board, commission, agency or committee of the common council, except for the commissions on aging, persons with disabilities, youth services and board of assessment appeals shall be scheduled or held earlier than 6:00 p.m.

(e) *Location of meetings of committees appointed by the common council.* All meetings of committees or subcommittees of the common council shall be held in city hall, provided that school building committees may meet in the administrative offices of the board of education and may hold meetings in schools when deemed appropriate by a majority of the members of the school building committee.

(f) *Scheduling of meetings.* No regular or special meeting of any board, commission, committee or agency, including the board of education, shall be scheduled so as to conflict with any regularly scheduled meeting of the common council.

(Code 1970, § 2-12; Ord. of 4-74; Ord. of 2-90; Ord. of 11-95; Ord. of 2-7-96; No. 26891-1, 3-27-02; No. 27370-1, 2-26-03; Res. No. 29772-2, 9-12-07; Res. No. 29943-2, 1-9-08; Res. No. 29983-2, 2-13-08)

Cross reference—Attendance at public hearing conducted by zoning committee, § 2-101.

Sec. 2-26. Badges of aldermen.

After taking the oath of office, each alderman shall have a badge of office issued to him by the clerk for which a receipt shall be signed. Upon termination of his term of office, he shall either

return or purchase the badge from the clerk. When this is done, the clerk shall cancel the receipt.

(Code 1970, § 2-13)

Sec. 2-27. Council powers in removal of officials.

Whenever by the Charter or ordinances, the council is granted the power to remove any city officer or official, such power shall not be exercised, except upon written charges made by the mayor or by three (3) members of the council presented in writing to the council. The council shall thereupon by a majority vote determine whether such charges shall be presented and tried, and if it shall be affirmatively determined, to present and to try such charges. A special meeting of the council shall be called, which shall give a hearing to such official, or officer, who shall have the right to be present, to be represented by counsel and to have witnesses summoned to appear before the council and to be confronted with the witnesses against him. At such hearing the council shall not be bound by the rules, of evidence, but the council shall not remove any such official, unless due and sufficient cause exists and shall be proved at such hearing.

(Code 1970, § 2-15; Ord. of 7-01; Ord. No. 27783-1, 1-21-04)

Charter references—Power to remove officers, § 135; removal under civil service, § 392; removal by mayor, § 2344.

State law references—Failure of elected official to perform the duties of office, G.S. § 7-104; resignation of municipal officers, G.S. § 7-103; refusal of elected official to accept office, G.S. § 7-104.

Sec. 2-27.1. Council investigatory powers.

Pursuant to section 4-2(k) of the Charter, any person who refuses to obey a subpoena of the common council or its authorized investigative committee shall be fined not more than one hundred dollars (\$100.00) upon a finding that the person has refused to obey a subpoena except that said fine shall not exceed that which is permitted by the Connecticut General Statutes.

(Ord. of 7-01)

Sec. 2-28. Referral to corporation counsel of ordinance changes.

No ordinance shall be approved or amended by the council except after having been referred to

the corporation counsel for an opinion as to its legality. The opinion of the corporation counsel of the proposed ordinance or amendment shall be advisory only.

(Code 1970, § 2-16)

Charter reference—Corporation counsel, §§ 1501—1505.

Sec. 2-29. Waiver of building permit fees for non-profit organizations.

Waivers of building permit fees shall be limited to non-profit organizations providing health, educational, or religious services to citizens of the city; provided that, such organization has submitted evidence that such waiver will accrue benefit solely to the non-profit organization requesting such waiver and that such waiver shall require a two-thirds ($\frac{2}{3}$) vote of the common council and that non-profit organizations not offering health, educational, or religious services shall require the unanimous approval of the common council for waiver of building permit fees, and only upon submission of evidence that such waiver will accrue solely to the nonprofit organization requesting such waiver.

(Code 1970, § 2-17; Ord. of 11-74)

Sec. 2-30. Waiver of building permit fees for municipal projects.

Building permit fees shall be waived for all public projects subsidized by the City of New Britain and executed by any department or agency of the city excluding all projects for the consolidated school district and projects executed by city departments but not subsidized by the City of New Britain.

(Ord. of 10-90; Ord. of 4-97; No. 26986-1, 6-12-02)

Sec. 2-31. Official presentation of amendments.

(a) In each resolution or other item presented before the common council proposing amendments to the Code of Ordinances, the full text of sections of said Code in which text is proposed to be inserted and/or deleted shall be included in such resolution, including both the text to be inserted and the text to be deleted; except as provided in subsection (b) of this section, all text proposed to be inserted into said Code shall be

underlined and all text proposed to be deleted shall be presented in strikethrough text (examples: underline, ~~strikethrough~~).

(b) Whole sections proposed to be inserted into the Code of Ordinances by such a resolution or other item need not be underlined, but the word "(new)" shall be written between the proposed section number and the text of said proposed section.

(c) Each resolution or other item presented before the common council proposing changes to the Code of Ordinances shall include a brief, prose description of the effect(s) that the proposal would have if adopted as part of said Code.

(d) Any proposed substitute report or resolution submitted to the common council shall comply with the requirements set forth in subsections (a), (b), and (c) herein. Any proposed substitute report or resolution which is not in compliance with these requirements will not be allowed on the agenda unless approved by the affirmative vote of two-thirds ($\frac{2}{3}$) of the entire membership of the common council.

(Ord. of 5-00; Res. No. 30543-2, 5-13-09)

Sec. 2-32. Acceptance of gifts.

Pursuant to section 4-2(e) of the Charter, gifts of money or property in excess of five hundred dollars (\$500.00) value may be approved for acceptance in the name of the city by a resolution of the common council. All gifts of a value less than five hundred dollars (\$500.00) may be received in the name of the city by the mayor or by persons the mayor may designate.

(Ord. of 7-01)

**DIVISION 3. CAPITAL EQUIPMENT
RESERVE PROGRAM**

Sec. 2-511. Established.

A capital equipment reserve program is hereby established.
(Code 1970, § 2-350A; Ord. of 11-78)

Sec. 2-512. Annual needs requests—Submission by department heads, etc.

(a) Each December first any department head, board or commission or any other individual responsible for capital equipment needs shall submit a capital equipment needs request for a period of three (3) years commencing on the succeeding July first in a manner prescribed by the director of finance.

(b) During each fiscal year, requests for expenditures will be submitted to the director of finance in a manner and on forms designed by the director for presentation to the capital equipment reserve committee.
(Code 1970, § 2-350A(1), (6); Ord. of 11-78)

Sec. 2-513. Compilation by director of finance.

The director of finance shall be responsible for compiling the needs requests submitted pursuant to section 2-512 for presentation to the capital equipment reserve committee at a meeting called for such purpose.
(Code 1970, § 2-350A(2); Ord. of 11-78; No. 26768-1, 2-13-02)

Sec. 2-514. Reserved.

Editor's note—Item No. 26768-1, an ordinance adopted on Feb. 13, 2002, adopted new provisions which replaced those set out in § 2-514. Former § 2-514 pertained to action by board of finance and taxation and council on capital equipment reserve committee's recommendation and derived from the Code of 1970 and an ordinance adopted in Nov. of 1978.

Sec. 2-515. Annual appropriation.

Monies appropriated will be credited to a separate capital equipment reserve fund. Such fund shall be a permanent fund to be used for the purposes herein set forth and for no other, and shall continue from year to year. Earnings from

investments of such fund shall accumulate and accrue to the credit of the fund. Such earnings on investments will be available for appropriation by the common council for capital equipment purposes.
(Code 1970, § 2-350A(5); Ord. of 11-78; No. 26768-1, 2-13-02)

Sec. 2-516. Recommendations for amendments to fund guidelines.

The director of finance will be responsible for recommending amendments to the guidelines and procedures for the capital equipment reserve fund.
(Code 1970, § 2-350A(8); Ord. of 11-78; No. 26768-1, 2-13-02)

Secs. 2-517—2-522. Reserved.

DIVISION 4. REVENUE

Sec. 2-523. Revenue for cellular tower leases.

Notwithstanding any other provision of the Code of Ordinances to the contrary, all revenue, excluding reimbursed expenses, generated from leases or rental to cellular, common carriers or Federal Communications Commission licensees on property owned by the City of New Britain shall be deposited in a special revenue account as designated by the director of finance. No expenditure of any funds in this account shall be authorized except by majority vote of the common council.
(Res. No. 32658-2, 4-9-14)

Secs. 2-524—2-526. Reserved.

**ARTICLE VIII. PURCHASING AND
SALES***

DIVISION 1. GENERALLY

Sec. 2-531. Definitions.

As used in this article:

***Charter references**—Purchasing power generally, § 101; authority to establish central purchasing system, § 2361;

Contractual services shall mean all telephone, gas, water, electric light and power services; towel and cleaning service; leases for all grounds, buildings, office or other space required by the using agencies; and the rental, repair or maintenance of equipment, machinery and other city-owned personal property. The term shall not include professional and other contractual services which are in their nature unique and not subject to competition. Nor shall contractual services include those circumstances where the city is engaged in contracting for services in conjunction with other units of government in furtherance of a cooperative venture, including inter-local agreements with those units of government provided that a report shall be approved by the common council.

Local bidder shall mean a bidder maintaining taxable business property in the form of real estate, personal property or combination thereof within the city.

Purchasing agent or agent shall mean the purchasing agent of the city.

Supplies shall mean all supplies, materials and equipment.

Using agency shall mean any department, agency, commission, bureau or other unit in the city government using supplies or procuring contractual services as provided for in this article. (Code 1970, § 2-125; Ord. of 8-85; No. 26768-1, 2-13-02; Res. No. 30170-2, 7-9-08)

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

Sec. 2-532. Estimates of future departmental needs.

(a) *Using agencies to file requisitions.* All using agencies, either by or with the authorization of its head, shall file with the agent prior to purchase detailed requisitions or estimates of required supplies and contractual services in such a manner, as the agent shall prescribe.

(b) *Agent may revise.* The agent shall examine each requisition or estimate and shall have the authority after consulting with the requisitioning

appointment of agent, § 2362; council to provide by ordinance regulations for central system, § 2363; competitive bids required for public works contracts, § 2364.

department to revise it as to quantity, quality, or estimated cost; but revision as to quality shall be in accordance with the standards and specifications established pursuant to this article.

(c) *Supplemental requests.* All using agencies may file supplemental requisitions or estimates for any additional supplies or contractual services with the agent, if such needs were not foreseen when the initial estimates were submitted. (Code 1970, § 2-126; No. 26768-1, 2-13-02)

Sec. 2-533. Audit before purchase.

Except in case of emergency, the agent shall not issue any order for delivery on a contract or open market purchase until the director of finance shall have certified, after preaudit, that there is to the credit of the using agencies concerned a sufficient unencumbered appropriation balance, in excess of all unpaid obligations, to defray the amount of such order. (Code 1970, § 2-127; No. 26768-1, 2-13-02)

Sec. 2-534. Approval required for assignment of contract.

No formal contracts as defined in section 2-553 shall be assigned or transferred without the written assent of the mayor, and the applicable department, board, commission, officer or officers in charge of the public improvement to which such contract relates. (Code 1970, § 2-128; No. 26768-1, 2-13-02)

Sec. 2-535. Inspection and testing.

(a) *By agent.* The agent shall inspect, or supervise the inspection of, all deliveries of supplies or contractual services to determine their conformance with the specifications set forth in the order or contract.

(b) *By using agency.* The agent shall have the power to authorize using agencies, having the staff and facilities to conduct adequate inspections, to inspect all deliveries made to such using agencies under rules and regulations which the agent shall prescribe. (Code 1970, § 2-134)

Sec. 2-536. Testing of samples submitted with bids.

The agent shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the agent shall have the authority to make use of laboratory facilities of any agency of the city government or of any outside laboratory. (Code 1970, § 2-136)

Sec. 2-537. Standard forms and nomenclature.

The purchasing agent shall prescribe and maintain such forms as he shall find reasonably necessary to the operation of this article and shall prepare and adopt a standard purchasing nomenclature for using agencies and suppliers. (Code 1970, § 2-137)

Sec. 2-538. Cooperative purchasing.

(a) The agent shall have the authority, subject to the common council's approval of the purchasing agent's report to join with another unit of government in a cooperative purchasing plan when the best interests of the city would be served thereby.

(b) The agent shall evaluate and recommend a combined purchase that best promotes the economic interests of the city and shall provide sufficient documentation of the common council supporting such recommendation and the financial benefit thereof. (Code 1970, § 2-138; Ord. of 12-74; Ord. of 7-01; Res. No. 30170-2, 7-9-08)

Sec. 2-539. Disqualification of certain bidders.

The purchasing agent shall have the authority to declare irresponsible any vendors who default on their quotations and to disqualify them from receiving any business from the city for a stated period of time. (Code 1970, § 2-139)

Sec. 2-540. Petty expenditures revolving fund.

(a) *Establishment.* There shall be a petty expenditures revolving fund to be used by all agencies of the city under the supervision of the purchasing agent. The amount to be kept in such fund shall be determined by the resolution of the council from time to time.

(b) *Accounting.* The purchasing agent shall make a statement of all expenditures from this fund to the director of finance at the end of each month.

(c) *Reimbursement.* The city treasurer shall reimburse the revolving fund in the same manner as expenditures of the using agency would generally be reimbursed.

(d) *Rules and regulations.* The agent shall promulgate rules and regulations for the use of the petty expenditures revolving fund. (Code 1970, § 2-140)

Sec. 2-541. Sole source, goods and services.

Competitive procurement may be suspended in the event the purchasing agent in consultation with the requisitioning department determines the goods or product is directly procured through the manufacturer with no intermediate vendors able to contract with the city. Circumstances precluding soliciting competitive pricing for services are limited by virtue of specialty and uniqueness demonstrated in writing satisfactory to the purchasing agent. Any such suspension along with the reasons, therefore shall be reported at the next regular meeting of the common council. (No. 26768-1, 2-13-02)

Secs. 2-542—2-550. Reserved.

DIVISION 2. PURCHASING AGENT

Sec. 2-551. Position created; powers and duties generally.

Pursuant to the Charter of the City of New Britain, there shall be a city purchasing agent who shall have the powers and duties as are described in this article, and who, along with the

staff of the purchasing department, shall be under the direct control and supervision of the director of finance.

(Code 1970, § 2-129; Ord. of 9-93, § 1; Ord. of 7-01)

Sec. 2-552. Appointment; qualifications.

(a) *Appointment.* The agent shall be appointed by the mayor in accordance with the civil service regulations.

(b) *Qualifications.* The agent shall have had prior to his appointment either:

- (1) At least five (5) years experience in a purchasing office of a public or private corporation in an executive capacity, or,
- (2) Graduated from a four-year college or university with a major in business ad-

Sec. 2-903. Abolishment of public safety telecommunications authority.

The public safety telecommunications authority is hereby abolished. In addition, to the extent any provision of this article conflicts with Executive Order No. 96-1, this article controls. (No. 26989-1, 6-12-02)

Sec. 2-904. Reporting of information.

(a) If any provision of the Code of Ordinances or any executive order issued by the mayor calls for the regular use of data in the possession of the department of public safety telecommunications, the department of public safety telecommunications shall supply the needed data set to the department or organization that, by ordinance or executive order, shall utilize it. The department of public safety telecommunications shall supply said data to said department or organization in accordance with a joint administrative directive adopted pursuant to subsection (b) of this section.

(b) For each data set to be regularly supplied to a department or organization pursuant to subsection (a) of this section, there shall be a joint administrative directive. The joint administrative directive shall be adopted and may be amended by joint agreement of the corporation counsel, the director of public safety telecommunications and the administrative head of the department or organization that, by ordinance or executive order, shall utilize said data set. Any disagreement between these parties in the substance of such a joint administrative directive shall be presented to the mayor, who shall decide the question.

(c) Notwithstanding any other provision of the Code of Ordinances, any joint administrative directive adopted pursuant to subsection (b) of this section shall be construed as an authoritative interpretation of the meaning and intent of any ordinance or executive order in question and may include any or all of the following:

- (1) The frequency of the delivery of said data, unless the ordinance or executive order in question shall proscribe such frequency;
- (2) The particular database format to be used;
- (3) The data fields to be included and the name of each field;

- (4) The parameters for determining whether each particular record item shall be included in the data set; and
- (5) Any other matter relevant to the implementation of the meaning and intent of the ordinance or executive order in question.

(No. 26989-1, 6-12-02)

Secs. 2-905—2-910. Reserved.

ARTICLE XVII. REORGANIZATION OF THE DEPARTMENTS AND OFFICES OF THE CITY OF NEW BRITAIN

Sec. 2-911. Reorganization plan.

(a) Pursuant to section 5-4 of the City Charter, there is hereby enacted an amended reorganization plan. This plan shall include the reorganization of all city departments and offices except the common council and board of education.

- (1) Mayor.
 - a. Office of the mayor, which shall include:
 - 1. Municipal economic development authority.
 - b. Corporation counsel which shall include:
 - 1. Department of human resources and personnel.
 - 2. Human rights and opportunities.
 - c. Police department;
 - d. Fire department;
 - e. Public safety telecommunications department;
 - f. Public works department, which shall include:
 - 1. Administrative services;
 - 2. Field services and parks division, which shall include:
 - i. Stanley Golf Course maintenance;
 - ii. Cemetery maintenance;

- iii. Fleet and facilities division;
 - iv. Water and sewer division.
 - g. Recreation and community services department, which shall include:
 - 1. Recreation division, which shall include:
 - i. All recreation programming;
 - ii. Stanley Golf Course operations;
 - iii. Cemetery operations.
 - 2. Community services division, which shall include:
 - i. Youth and family services;
 - ii. Persons with disabilities;
 - iii. Veterans services;
 - iv. Fair housing.
 - 3. Senior center.
 - h. Finance department, which shall include:
 - 1. Central administration, which shall include:
 - i. Treasury and accounting functions;
 - ii. Budget and capitol projects;
 - iii. Water/sewer billing and assessments;
 - iv. Purchasing and risk management.
 - 2. City assessor;
 - i. Information technology department;
 - j. Health and building services department, which shall include:
 - 1. Building/housing inspections and permitting;
 - 2. Health inspections and permitting;
 - 3. Nursing services.
 - k. Department of municipal development, which shall include:
 - 1. HUD funds administration;
 - 2. City plan and zoning.

- (2) Elected officials.
 - a. Town and city clerk;
 - b. Tax collector;
 - c. Registrars of voters.
 - (3) Notwithstanding any provision of the ordinances of the City of New Britain, except in the case of the fire, police and public safety telecommunications departments, whenever said ordinances refer to any department or office, or portion, function or the department head thereof, the functions, powers and responsibilities referred to therein shall be vested in such reorganized department, or, as the case may be, in the department head of such reorganized department. When the terms used to describe the departments, department heads and offices set forth in this reorganization ordinance differ from the terms contained in other sections of the Code of Ordinances, the reorganization ordinance shall control and be applicable. (Res. No. 31818-4, 6-5-12; Res. No. 32801-2, 8-13-14)

Secs. 2-912—2-915. Reserved.

ARTICLE XVIII. HUMANE COMMISSION

Sec. 2-916. Creation.

There is hereby created a humane commission consisting of seven (7) members appointed by the mayor whose terms shall be two (2) years from each January 1 immediately following the mayoral election.

(Res. No. 31914-2, 8-8-12)

Sec. 2-917. Powers and duties.

The humane commission shall have the power to recommend the adoption of such rules and regulations, not inconsistent with the state statutes, the City Charter or other ordinances, as in its judgment are required for the operation of the animal shelter and related activities, and for the proper care and treatment of animals within the city limits.

(Res. No. 31914-2, 8-8-12)

Sec. 2-918. Chief of police.

The chief of police or his/her designee shall be an ex-officio member of the humane commission. The chief shall keep the humane commission apprised of the activities of the animal shelter, and shall render an annual report to the commission, common council and to the mayor on or before July 1 of each succeeding year. The chief of police shall annually prepare a budget for the animal shelter. The chief of police shall be responsible for the care and custody of all property, including materials, supplies and equipment used by the animal shelter.
(Res. No. 31914-2, 8-8-12)

Sec. 2-919. Authority to accept grants, gifts of property.

In accordance with subsection 4-2(e) of the New Britain City Charter and section 2-32 of Code of Ordinances, the mayor has designated the humane commission as being able to accept, receive and administer any and all grants or gifts of less than five hundred dollars (\$500.00) from any source, public or private, including without limitation the municipal government, state government, federal government, and any devises, legacies or gifts of real or personal property for the purpose of carrying out its power and activities under this article.
(Res. No. 31914-2, 8-8-12)

Secs. 2-920—2-925. Reserved.

ARTICLE XIX. FAIR RENT COMMISSION*

Sec. 2-926. Fair rent commission.

(a) Pursuant to and in conformity with sections 7-148b through 7-148f of the General Statutes, there is hereby created a commission known as the fair rent commission. Said commission shall have such powers, duties and responsibilities as are provided pursuant to sections 7-148b through 7-148f, inclusive, of the General Stat-

***Editor's note**—Res. No. 31941-2, adopted Sept. 12, 2012, amended the Code by the addition of a new Ch. 17, § 2-911. However, said provisions have been redesignated as Art. XIX, § 2-926 at the editor's discretion for the purposes of maintaining Code format.

utes, including, but not limited to, make studies and investigations, to conduct hearings and receive complaints relative to rental charges on housing accommodations, to ensure that rental charges "are not harsh and unconscionable," thus creating a fair and equal process for the tenant and landlord; compelled by the need for habitable and rent stabilized housing stock in the city of New Britain; and

(b) The commission shall consist of nine (9) electors of the city appointed by the mayor which shall be comprised of three (3) tenants/renters, three (3) landlords and three (3) property owners. The chairperson of the commission shall be elected by its members. The members shall be appointed to serve a term of two (2) years. The commission shall be empowered to enact such by-laws and regulations as are necessary for the conduct of its business, provided no by-laws or regulations shall be in conflict with sections 7-148b through 7-148f of the General Statutes; and

(c) In the commission's consideration of fair rents, no fines or penalties for violations of city ordinances or state or federal laws may be included in fair rent amounts, nor shall the cost of complying with anti-blight or code enforcement orders from the city, state or federal governments or other authorities.

(d) In determining whether a rental charge is too excessive, with due regard to all the circumstances, the fair rent commission shall consider the following thirteen (13) factors:

- (1) The rents charged for the same number of rooms and other housing accommodations in the same and in other areas of the municipality;
- (2) The sanitary conditions existing in the housing accommodations in question;
- (3) The number of bathtubs and showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof;
- (4) Services, furniture, furnishings and equipment supplied therein;
- (5) The size and number of bedrooms contained therein;

- (6) Repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein;
 - (7) The amount of taxes and overhead expenses, including debt services, thereof;
 - [(8)] Whether the accommodations are in compliance with the ordinances of the city and the general statutes relating to health and safety;
 - (9) The income of the petitioner and the availability of accommodations;
 - (10) The availability of utilities;
 - (11) Damages done to the property by the tenant caused by other than ordinary wear and tear;
 - (12) The amount and frequency of increases in the rental charges;
 - (13) Whether, and the extent to which, the income from an increase rental charge has been or will be reinvested in improvements to the accommodation.
- (e) The fair rent commission will be unable to accept excessive rent complaints if:
- (1) The tenants owe back rent;
 - (2) The tenants have already signed leases agreeing to requested rent; and
 - (3) Landlords have already begun the legal eviction process against the specified tenant.
- (Res. No. 31941-2, 9-12-12)

ARTICLE I. IN GENERAL

Sec. 6-1. Director of health to have duty of enforcement.

The director of health shall take such measures as are necessary and proper for the enforcement of the provisions of this chapter.
(Code 1970, § 6-1)

Sec. 6-2. Keeping animals in a manner detrimental to human health.

No person shall keep any animal in any place or in any manner which is detrimental to human health or which will create a nuisance.
(Code 1970, § 6-2)

Sec. 6-3. Keeping of swine.

No person shall keep swine or make or maintain any pigpen.
(Code 1970, § 6-4)

Secs. 6-4—6-15. Reserved.

ARTICLE II. DOGS*

Sec. 6-16. Definitions.

As used in this article:

At large shall mean off the premises of the owner or custodian, and not under the immediate control of the owner or custodian, either by leash, cord, chain or otherwise.

Dog shall mean any member of the canine species, male or female.

Keep shall mean possessing, controlling, exercising or allowing to run at large.

Owner shall mean any person possessing, keeping, harboring or having custody of a dog.
(Code 1970, § 6-9)

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

***State law references**—Dogs generally, G.S. § 22-327 et seq.; maintenance of dog pounds, G.S. § 22-336.

Sec. 6-17. License tag and registration required; exclusion of certain dogs from provisions.

(a) *Tags required.* Each dog kept by his owner in the city shall be licensed and registered if over three (3) months of age. Dog licenses shall be issued by the town clerk upon payment of a license tax to be determined by the common council. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him.

(b) *Exceptions.* The provisions of this section shall not apply to dogs whose owners are nonresidents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor to seeing-eye dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place.

(Code 1970, § 6-10)

Cross reference—Licenses, permits, and miscellaneous business regulations, Ch. 14.

Sec. 6-18. Running or roaming at large prohibited.

(a) No person owning or keeping a dog, shall allow such dog to be in or upon any street, park or other public place, or in or upon any unenclosed lot or other private premises, unless such dog is attached to a secure leash held continuously in the hands of a responsible person capable of controlling it, or is securely leashed upon such unenclosed lot or premises in such manner that the rope or other attachment by which it is held or tethered does not permit it to be or go beyond the boundaries of such lot or premises or unless such dog is securely confined within a motor vehicle which is adequately ventilated. This section shall not apply to any dog while performing or being exhibited in a bench show or other exhibition or any dog park or use approved by the parks and recreation commission and the common council.

(b) Any violation of this section for a spayed or neutered dog shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.

(c) Any owner or keeper of any unaltered or unvaccinated dog who intentionally or unintentionally allows their dog to roam shall be guilty of a city ordinance violation which shall be punishable by a fine of one hundred ninety-nine dollars (\$199.00). (Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-86; Ord. of 5-88, § 1; No. 27484-1, 5-14-03; Res. No. 32686-2, 4-23-14)

Sec. 6-19. Removal of feces.

(a) It shall be unlawful for any person owning, keeping, walking or in control of any dog to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements, street, sidewalk, gutter or other public area unless such person shall remove all feces so deposited by such animal before leaving the immediate premises.

(b) The provisions of this section shall not apply to any person walking or in control of a dog who is blind and accompanied by a guide dog or by any person who is physically unable to remove said feces.

(c) Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.

(d) For the purposes of enforcing the provisions of this section tickets may be issued by any persons authorized to issue tickets for parking violations pursuant to section 15-75 of this Code. (Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-88, § 2)

Sec. 6-20. Impoundment.

(a) The health department shall capture any dog found running at large contrary to the provisions of this chapter and shall impound such dog in the municipal dog pound or other suitable place.

(b) The dog warden shall register the capture of each dog upon his records. This register shall include information concerning the breed, color, and sex of each dog, and whether or not it is licensed. If such dog is licensed, he shall enter the

name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs. (Code 1970, § 6-12)

Sec. 6-21. Pound open to public on Saturdays.

Each day, except Sunday, between the hours of 8:00 a.m. and 11:00 a.m., the municipal dog pound shall be open to the public for inspection of animals confined therein. The dog warden shall not destroy any dog in his custody until such dog has been displayed at least once to the public. (Code 1970, § 6-13)

Sec. 6-22. Parvovirus required vaccination for all dogs.

Effective July 1, 2014, all dogs who are to be licensed within the City of New Britain, per section 22-338 of the Connecticut General Statutes, shall have their dogs vaccinated against the parvovirus in addition to the state-mandated rabies vaccination per section 22-339b of the Connecticut General Statutes. The owner or keeper of such dog shall submit to the town clerk a vaccination record by a licensed veterinarian, or a copy thereof, stating that such dog has been vaccinated against parvovirus and rabies, the date of the vaccination, and the duration of the immunity provided by the vaccine. Failure to have the required vaccination for parvovirus will be a city ordinance violation and shall be punishable by a fine of ninety-nine dollars (\$99.00) which shall be enforced by the New Britain Police Department. (Res. No. 32686-2, 4-23-14)

Sec. 6-23. Breeders permit required.

(a) Effective July 1, 2014, anyone wanting to breed their dog(s) within the City of New Britain must obtain a breeding permit from the police department prior to breeding their dogs. No person, as principal, agent, employee or otherwise, shall breed any dog, cat or other animal at any place within the city, without a breeders permit. "Breeding" shall be deemed to have occurred upon the production of offspring, whether such offspring result from sexual activity or artificial

insemination, and whether such sexual activity was intentional or the result of improper confinement.

(b) Each completed application for a breeder's permit must be submitted to the animal control division of the police department in the City of New Britain.

(c) Each application for a breeding permit shall be accompanied by a fee of one hundred dollars (\$100.00) and no breeding permit shall be issued until the application fee is paid.

(d) Each breeding permit is issued to the person, not the dog, and therefore a breeding permit cannot be sold, purchased, traded, or otherwise conveyed from the person to whom the breeding permit was initially granted.

(e) No breeding permit shall be granted to a person until the following conditions are met:

- (1) The applicant has submitted the appropriate forms and fees required by the supervisor of animal control for a breeding permit.
- (2) The applicant has an indoor space and outdoor space in which to breed the dogs and raise the offspring that will contain the dogs as well as provide them with safe, sanitary, and humane conditions, appropriate for breeding a specific breed, and which satisfies all applicable provisions of the Code of Ordinances and all applicable state animal welfare laws.
- (3) The department has evaluated the physical and behavioral characteristics regarding the suitability of the particular dogs to be bred.
- (4) The dog identified in the breeder's permit that will be used for breeding must be micro-chipped.

(f) The department may deny any application for a breeding permit if it finds that one (1) or more of the following has occurred:

- (1) The applicant has failed to appropriately license the pet to be bred.
- (2) The applicant has failed to pay the appropriate application fee.

(3) The applicant has a history of allowing dogs to run loose or escape, or has otherwise been found to be neglectful; has had his/her dog identified as a nuisance; or has previously been determined to have violated the provisions of this chapter.

(4) The applicant has applied for a breeding permit within the last ten (10) months.

(Res. No. 32686-2, 4-23-14)

Sec. 6-24. Inspection of premises to be used for breeding purposes.

(a) The animal control officer or his designee may inspect the premises to be used for breeding purposes and conduct the evaluation set forth in the above section. The animal control officer or his designee shall give the applicant 24-hour notice of the inspection and shall conduct such inspection at a reasonable time when the applicant or his/her representative is present.

(b) If the applicant refuses to allow the animal control officer or his designee to conduct such inspection, or cannot be contacted by the animal control officer or his designee to give notice of the inspection within two (2) weeks of its initial attempt, the application shall be denied.

(1) Up to one (1) year after issuing the breeding permit, the animal control officer or his designee shall have the option, on one (1) or more occasions, to inspect the premises being used for breeding purpose to ensure that the conditions required to receive a permit are continuing to be met. The animal control officer or his designee shall give the permit holder 24-hour notice of the inspection and shall conduct such inspection at a reasonable time when the permit holder or his/her representative is present.

(2) If the permit holder refuses to allow the animal control officer or his designee to conduct such inspection, or cannot be contacted by the animal control officer or his designee to give notice of the inspection within two (2) weeks of its initial attempt, the animal control officer or his designee will determine that the permit holder is

conducting breeding activities in violation of this chapter, and the breeding permit shall be revoked.

(Res. No. 32686-2, 4-23-14)

Sec. 6-25. Litter permits.

(a) Breeding permit holders must apply for and obtain a litter permit for every litter produced by the breeding permit dogs. Breeding permit holders should apply to the animal control division for a litter permit before the dogs are bred. A litter permit application should be accompanied by a litter permit fee in the amount of twenty-five dollars (\$25.00). A litter permit should be applied for and granted for every litter to be produced by any animal owned, held, or maintained by the permit holder.

(b) In the event that a permit holder or an individual breeder fails to apply for a permit before the female dog enters its gestation period, the department may issue the litter permit without penalty if it determines that the failure to acquire a permit was not in bad faith.

(c) No more than two (2) litter permits will be issued to breeding permit holders within one years' time unless the permit holder also holds a kennel license under section 22-342 of the Connecticut General Statutes.

(d) All puppies from each litter shall be micro-chipped.

(Res. No. 32686-2, 4-23-14)

Sec. 6-26. Enforcement of breeding and litter permit requirements.

(a) Any person found breeding dogs without the required breeding and/or litter permits shall be in violation of this chapter and shall be subject to the following penalties:

- (1) Each dog involved in illegal breeding activities in violation of section 6-23 shall be impounded and held at the New Britain Animal Control facility or another suitable boarding facility until any applicable licenses are issued or the applicable fines have been paid. The owner/keeper of the involved dog shall be subject to a fine of two hundred fifty dollars (\$250.00) and

shall be responsible for all boarding fees while the dog is impounded at the New Britain Animal Control.

- (2) Each person who breeds a litter of puppies without a litter permit in violation of section 6-25 shall be fined in the amount of twenty dollars (\$20.00) for each puppy in the litter.

- (3) The fines imposed under this ordinance are in addition to any other fines that may be levied against the person under other ordinances pertaining to the illegal breeding of dogs.

(b) No dogs will be returned to any premises which are in violation of the zoning ordinances.

(Res. No. 32686-2, 4-23-14)

Sec. 6-27. Vicious or dangerous dogs.

(a) Dangerous and vicious dogs are defined as dogs that have attacked, bitten, or injured human beings without provocation, or dogs that present an unacceptably high risk of serious injury, even before causing harm. Snarling, showing of teeth, and lunging without provocation can be considered signs of unacceptable high risk behavior. Any dog that has bitten or attacked a human being or has behaved so as to impose a threat of imminent bodily harm by high risk behavior towards a human being who is conducting him/herself peacefully and lawfully shall be prima facie presumed vicious or dangerous. No dog shall be declared vicious if any injury or damage is sustained by a person who, at the time the injury was sustained, was found to be committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog or was teasing, tormenting, abusing, or assaulting the dog or was committing or attempting to commit a crime. No dog shall be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack.

(b) The animal control officer or his designee may declare a dog as vicious or dangerous as set forth in the above definition with supporting evidence from witnesses, police, or other municipal or government employees, repeated police reports of vicious or dangerous acts or behavior, or one-on-one observation of the dog in question.

Once a dog has been declared as vicious, the animal control officer shall place one (1) or more of the following restrictions on the dog and its owner:

- (1) The dog will have to be registered with the animal control division of the police department as a vicious or dangerous dog.
 - (2) The dog must be micro-chipped and the microchip must be activated with the microchip company and registered to the dog's licensed owner.
 - (3) Beware of dog signs shall be posted up on the residence where the dog resides. Signs shall be posted in a manner as to be highly visible to the public from a street side view at all angles.
 - (4) The dog must be muzzled at all times when not inside the residence.
 - (5) The dog will not be left outside unattended, whether tethered or in a fenced-in backyard.
 - (6) The dog will be confined in a manner where it will not have access to children.
- (Res. No. 32686-2, 4-23-14)

Secs. 6-28—6-35. Reserved.

ARTICLE III. PIGEONS

Sec. 6-36. Control; trapping permits; disposition.

(a) The health department is authorized to approve permits for the purpose of trapping pigeons as a control and public health measure.

ARTICLE I. IN GENERAL

Sec. 7-1. Building permit fees and other regulations—Generally.

(a) No permit to begin work for new construction alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this chapter shall have been paid to the building official (or other authorized municipal agency), nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.

(b) The fees for building permits shall be thirty-five dollars (\$35.00) for construction, alteration, removal, repair, demolition or other building operations per first one thousand dollars (\$1,000.00) of value or portion thereof, twenty-five dollars (\$25.00) for second one thousand dollars (\$1,000.00) of value or portion thereof and fifteen dollars (\$15.00) for every one thousand dollars (\$1,000.00) or fraction thereof cost in excess of two thousand dollars (\$2,000.00). These fees are to be charged for building permits for new construction or repairs or alterations for all classes of work related to building construction.

(c) The fee for a certificate of occupancy to be issued pursuant to this Code shall be twenty-five dollars (\$25.00) for construction, alteration, removal, repair, demolition or other building operations per each thousand dollars (\$1,000.00) of value or portion thereof up to two thousand dollars (\$2,000.00) and one dollar (\$1.00) for every one thousand dollars (\$1,000.00) or portion thereof in excess of two thousand dollars (\$2,000.00).

(d) The fees for final reinspection for construction over five thousand dollars (\$5,000.00) shall be fifty dollars (\$50.00) for each trade inspector called for reinspection. This fee shall apply each time an inspector is called for a final reinspection.

(e) The fee for a certificate of approval to be issued pursuant to this Code shall be twenty-five dollars (\$25.00) for substantial compliance with the requirements of this Code, State of Connecticut Building Code, and the International Build-

ing Code for all completed work that requires a building permit but does not require a certificate of occupancy.

(Code 1970, §§ 7-40.1, 7-40.4; Ord. of 7-71; Ord. of 7-86, §§ 1, 2; Ord. of 6-95; Ord. of 9-98; No. 26849-1, 3-13-02; Res. No. 32688-2, 6-11-14)

Cross reference—Licenses, permits and miscellaneous business regulations, Ch. 14.

Sec. 7-2. Same—Special fees.

The payment of the fee for the new construction, additions, alteration, removal or demolition and for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that may be prescribed by law or ordinance for zoning permits and certificates, water taps, sewer connections, electrical, plumbing, mechanical and sprinkler system permits, or fees for inspections, or other privileges or requirements both within and without the jurisdiction of the department of licenses, permits and inspection. (Code 1970, § 7-40.2; Ord. of 7-71; No. 26986-1, 6-12-02)

Sec. 7-3. Same—New construction and alterations.

The fee for a building permit shall be based on the volume of the structure, or as otherwise prescribed in the local ordinances, and the building official is authorized to establish by approved rules a schedule of cubic or square foot rates for buildings and structures of all use groups and types of construction as classified and defined in article 2 of the state building code. (Code 1970, § 7-40.3; Ord. of 7-71)

Sec. 7-4. Fee for demolition.

The permit fee for demolition of a building or structure shall be twenty-five dollars (\$25.00) for every one thousand dollars (\$1,000.00) of the cost of the demolition or any fraction thereof. (Code 1970, § 7-40.8; Ord. of 7-71; Ord. of 2-5-97; No. 26849-1, 3-13-02)

Sec. 7-5. Reserved.

Editor's note—Item No. 26849-1, an ordinance adopted on March 13, 2002, deleted § 7-5. Former § 7-5 pertained to fees for signs and derived from the Code of 1970 and an ordinance adopted in July of 1971.

Sec. 7-6. Same—Accounting.

The fees collected for services provided by department of licenses, permits and inspection shall be kept in accurate account and such fees collected shall be deposited monthly in the municipal treasury or otherwise disposed of as required by law.

(Code 1970, § 7-40.12; Ord. of 7-71; No. 26986-1, 6-12-02)

Sec. 7-7. Refunds of the permits fee.

In the case of a revocation of a permit or abandonment or discontinuance of a building project, the volume of the work actually completed shall be computed and any excess fee for the incomplete work shall be returned to the permit holder; provided, however, that, all penalties that may have been imposed on the permit holder under the requirements of the basic code shall first be collected.

(Code 1970, § 7-40.13; Ord. of 7-71; No. 26849-1, 3-13-02)

Sec. 7-8. Administrative expenses in processing of applications.

The city may withhold for any refund any cost and administrative expense incurred in connection with application to be minimum fifteen dollars (\$15.00) or ten (10) per cent of fee whichever is larger. After a period of six (6) months the city may withhold minimum fifteen dollars (\$15.00) or fifty (50) per cent of the permit fee.

(Code 1970, § 7-40.14; Ord. of 7-71; No. 26849-1, 3-13-02; No. 26986-1, 6-12-02)

Sec. 7-9. Same—Waiver.

Waiver of building permit fees shall be only by result of action by the common council.

(Code 1970, § 7-40.15; Ord. of 7-71)

Sec. 7-10. Same—Proof of cost of construction to be furnished.

When the job is completed, the chief building official may request proof of the total construction cost done under all approved permits, and the owner, agent, or contractor shall furnish an affidavit of the total construction costs to the chief building official. If the final cost exceeds the fee declared in the application for the building permit, certificate of occupancy can not be issued until additional fee has been paid to the department.

(Code 1970, § 7-40.16; Ord. of 7-71; No. 26986-1, 6-12-02)

Sec. 7-11. Order to repair or demolish dangerous buildings; effect of failure to comply; enforcement agent.

(a) The owners of buildings which are unoccupied and as such are considered dangerous, to the public life and safety in the opinion of the building, fire, or health department may be ordered to repair or demolish the same by the chief building official and the owner of any such dangerous building who shall fail to comply with any such notice or order within thirty (30) days of being given a notice or order to repair or demolish such building, or fail to provide adequate security against the hazard of fire, by appropriate means, shall be guilty of a misdemeanor and shall be subject to punishment as provided in article III of this chapter for each and every day such failure to comply continues beyond the date fixed for completion or compliance.

(b) The chief building official shall be the enforcement agent of this section.

(Code 1970, § 2-79; Ord. 12-72; No. 26986-1, 6-12-02)

Sec. 7-12. Special conditions regarding sidewalks.

(a) Every building permit for new construction on a lot that is adjacent to an existing sidewalk shall be required to restore and/or replace the sidewalks and curbs, or any portion thereof, which may be defective prior to the commencement of construction or are damaged during the construction, in accordance with the city standards.

(b) Before a certificate of occupancy can be issued by a chief building official, the department of public works shall submit a report verifying that all sidewalks and curbs have been restored and/or replaced in accordance with the city standards.

(Ord. of 7-86, § 1; No. 26986-1, 6-12-02)

beverages. No cooking, heating or hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours, and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four (4) hours; e.g., cold deli sandwiches, salads, commercially prepared, processed and packaged sandwiches, hot dogs, kielbasa, soups, coffee, tea, soft drinks, etc.

- (3) *Class III establishment* — Food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the public within four (4) hours of preparation; e.g., hot meat sandwiches, pizza, soups, seafood, etc.
- (4) *Class IV establishment* — Food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four (4) hours prior to consumption by the public; e.g., meats, poultry, eggs, seafood, dairy, etc.

(c) Food establishments shall be inspected at the following intervals:

- (1) Class I establishment — 360 days;
- (2) Class II establishment — 180 days;
- (3) Class III establishment — 120 days;
- (4) Class IV establishment — 90 days;
- (5) Temporary food service establishment — At intervals based on the applicable class of the establishment.

(d) Every applicant for a license to conduct, operate or maintain a food establishment shall pay a fee or fees for such establishment in accordance with the following schedule:

- (1) *Class I establishment*:
 - a. Fixed establishment — One hundred ten dollars (\$110.00) per year, or part thereof.

- b. Mobile establishment — Fifty dollars (\$50.00) per year, or part thereof.

(2) *Class II establishment*:

- a. Fixed establishment — One hundred forty-five dollars (\$145.00) per year, or part thereof.
- b. Mobile establishment — Eight-five dollars (\$85.00) per year, or part thereof.

(3) *Class III establishment*:

- a. Fixed establishment — One hundred eighty dollars (\$180.00) per year, or part thereof, plus two dollars (\$2.00) per seat for each seat in excess of thirty-five (35).
- b. Mobile establishment — One hundred fifteen dollars (\$115.00) per year, or part thereof.

(4) *Class IV establishment* — Two hundred fifteen dollars (\$215.00) per year, or part thereof, plus two dollars (\$2.00) per seat for each seat in excess of thirty-five (35).

(5) *Temporary food service establishment* — Twenty dollars (\$20.00) per day up to a maximum of one hundred dollars (\$100.00) per year.

(e) Late charge for food establishment licensing fee. There shall be a thirty dollar (\$30.00) late charge for any food establishment licensing fee not received by June 30. In addition, there shall be an additional thirty dollars (\$30.00) charge for each additional thirty-day period that the fee remains delinquent.

(f) Reinspection fee. In the event that a food establishment shall require a reinspection as a result of having failed to attain a passing grade on the initial inspection (4 pt. item(s) not corrected or previous grade below 80), such food establishment shall be required to pay a reinspection fee of one hundred dollars (\$100.00) for each required reinspection.

(g) All new or extensively remodeled food establishments must undergo a plan review before beginning operation. A fee of one hundred twenty-five dollars (\$125.00) is to be paid for each plan review. (Code 1970, § 11-3; Ord. of 9-95; Ord. No. 27823, 4-28-04; Res. No. 28693-2, 8-18-05; Res. No. 30847-2, 1-27-10; Res. No. 32711-2, 5-28-14)

Sec. 10-38. Display; nontransferable.

(a) All licenses issued to conduct, operate or maintain any eating or drinking establishment shall be displayed in a conspicuous place on the premises of the licensee's place of business.

(b) Licenses issued to conduct, operate or maintain any such establishment shall not be assigned or transferred. (Code 1970, § 11-4)

Sec. 10-39. Revocation and suspension.

Any license issued to conduct, operate or maintain any eating or drinking establishment may be revoked or suspended by the director of health whenever the licensee violates any ordinance or state regulation covering sanitation of public eating and drinking establishments. Such revocation or suspension shall be made only after notice and hearing. (Code 1970, § 11-5)

Secs. 10-40—10-50. Reserved.

ARTICLE III. SELF-SERVICE FOOD OR BEVERAGE VENDING MACHINES

Sec. 10-51. Definitions.

As used in this article, "self-service food or beverage machine," shall mean any vending machine offered for public use which upon the insertion of a coin, coins or token, or by other means, dispenses unit servings of food or beverages either in bulk or package without replenishing the device between each vending operation. (Code 1970, § 11-77)

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

Sec. 10-52. Certain beverages exempt from article.

Machines vending only beverages in sealed cans or bottles, other than milk or milk products, shall be exempt from the provisions of this article. (Code 1970, § 11-78)

Sec. 10-53. License—Required.

No person shall engage in the operation of, or operate or maintain any self-service food or beverage vending machine without first obtaining an operator's license therefor from the department of health. (Code 1970, § 11-79)

Sec. 10-54. Same—Application; contents; fees.

(a) Applicants for a license to operate a self service food or beverage vending machine shall file with the department of health a sworn application in writing on forms provided by the department of health. Such applications shall contain the following information:

- (1) Applicant's full name, residence and post office address and whether such applicant is an individual, firm or corporation. If the applicant is a partnership, the names and addresses of the partners shall be included.
- (2) Location of the commissary and of other establishments where supplies are kept and where vending machines are repaired or renovated.
- (3) Identity and form of the products to be dispensed through the vending machine and the number and location of each such type vending machine in his possession.
- (4) Signature of the applicant.

(b) Each applicant for such a license shall pay a fee or fees for each machine as follows:

Food or beverage, annually	\$10.00
Ice machine, annually	25.00

(Code 1970, § 11-80; Ord. of 4-90, § 4)

Sec. 10-55. Same—Number to be conspicuously displayed.

The operator's license number, of a size and style approved by the department of health, shall be conspicuously displayed upon each self service food or beverage vending machine operated by him.

(Code 1970, § 11-81)

Sec. 10-56. Same—Qualification required to receive and retain.

Only persons who comply with the provisions of the Public Health Code of the state, section 19-13-B52, and this article shall be entitled to receive and retain the license required under this article.

(Code 1970, § 11-82)

Chapter 14

LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS*

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State law references—Auctioneer's licenses, G.S. §§ 21-1—21-5; itinerant vendors' licenses, G.S. §§ 21-27—21-35; junk dealers' licenses; package store permits, G.S. § 30-20; pawnbrokers, G.S. §§ 21-39—21-47; peddlers, G.S. §§ 21-36—21-38; regulation of vending machines G.S. § 21a-43.

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ARTICLE I. IN GENERAL

Sec. 14-1. Required licenses and permits.

(a) No person shall engage in any activity for which a license or permit is required by this Code without first having secured a license or permit, as required, from the city.

(b) Nothing contained in this chapter shall be construed to exempt any person from securing any other license or from paying any other license tax which may be authorized and imposed by the general statutes of the state or any other ordinance or regulation of the city.
(Code 1970, § 14-1)

Sec. 14-2. Clerk to issue licenses and maintain records.

The clerk shall be the city licensing officer and shall issue all licenses, except where otherwise provided and collect all fees therefor as required by the state statutes and the city ordinances. The licensing officer, in a special book provided for the purpose, shall keep a record of:

- (1) All licenses issued by him;
- (2) The name of the licensee;
- (3) The date of issuance of the license;
- (4) Its purposes; and,
- (5) The location or place the license is to be used.

(Code 1970, § 14-2)

Sec. 14-3. Licensing inspector to assist other city officials.

The licensing inspector shall furnish the sealer of weights and measures, chief of police, and other city officials with any information they may require at any time for the enforcement of the license ordinances.
(Code 1970, § 14-3)

Sec. 14-4. Inspection or supervision fees payable due to work on weekends or holidays.

In addition to any license or permit fees required by ordinance or by rules or regulations of a

department of the city, any person, who shall perform work on a Saturday, Sunday, legal holiday or any other day when city departments are not working, shall pay to the city or the appropriate department thereof any extra cost for inspection or supervision of such work by the city or department on such day.
(Code 1970, § 14-9)

Sec. 14-5. Vendors, etc., not to have exclusive right to specific location; operation not to impede public.

No peddler, vendor or solicitor shall have an exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he be permitted to operate in any congested area where his operation might impede, endanger or inconvenience the public.
(Code 1970, § 7-69; Ord. of 10-76)

Secs. 14-6—14-20. Reserved.

ARTICLE II. DRY CLEANING ESTABLISHMENTS

Sec. 14-21. Definitions.

As used in this article:

Class A dry cleaning and dyeing establishment shall include all dry cleaning and dyeing establishments using power for cleaning purposes, having washing or dry cleaning machines which require storage tanks for cleaning fluids, or requiring the storage of more than one gallon of cleaning fluid for the purpose of cleaning, dyeing or sponging of clothing, feathers, fur or any other textile.

Class B dry cleaning establishment shall include any person advertising as carrying on the business of dry cleaning or dyeing, or acting as an agent for such purposes or not requiring in his business of dry cleaning or dyeing more than one gallon of cleaning fluid on the premises at any time.

Dry cleaning and dyeing business shall mean the business of cleaning, sponging or dyeing cloth, clothing, feathers, fur or any sort of fabrics or textiles by the use of carbon bi-sulphide, gasoline,

naphtha, benzol stoddard solvent, benzine or other light petroleum or tar products or inflammable liquids, or cleaning, sponging or dyeing by processes known as dry cleaning and dyeing where inflammable volatile substances are used.

Sponging shall mean the removal of dirt, grease, or any other form of foreign matter from clothing, feathers, fur or any sort of fabrics or textiles by local application of inflammable liquid.

(Code 1970, § 7-14)

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

Sec. 14-22. Inapplicability of article to certain establishments.

Any dry cleaning establishment or commercial laundry in existence on September 21, 1960, shall not be subject to the provisions of this article if the fire marshal certifies that the cleaning fluids used therein are not inflammable. Any retail tailoring establishment using less than one gallon of gasoline or other cleaning fluid in carrying on its

(d) All applicants for certificates of location shall be required to erect a white-with-black lettering sign or signs measuring not less than three (3) feet long and two (2) feet high, which shall be prominently displayed on the premises facing each public street on which the property abuts, giving notice that an application, and the date, time and place where the public hearing will be held. The sign shall not be set back more than ten (10) feet from the property line and shall be not less than two (2) feet or more than six (6) feet above the grade at property line. The sign shall be made of one-eighth ($\frac{1}{8}$) inch pressed board or other durable material. It shall be displayed for a period of not less than fifteen (15) days immediately preceding the public hearing date or any adjourned date. In addition, the applicant must notify in writing all property owners within one hundred (100) feet of the subject property and submit an affidavit to that effect.

(e) The applicant shall file not later than the time the chairperson announces the commencement of the bearing concerning the application/appeal an affidavit stating that he/she has complied with the requirements set forth in subsection (d) of this section.

(f) The applicant must be present at the hearing.

(g) If the subcommittee approves the matter, notation of the date, approval, and stipulations must be noted on the map approved by the subcommittee.

(h) Upon the close of the hearing, the subcommittee will refer the matter back to the full council with its recommendation. Upon approval, the certificate of location shall be signed by the clerk of the common council also noting the date, approval, and stipulations on map.

(i) The original certificate of location will be filed in the town clerk's office with copies forwarded by the town clerk to city plan and department of licenses, permits and inspections.

(j) If the public hearing is tabled, postponed or rescheduled due to the applicant, the council shall either deny the application without prejudice or mandate that the applicant pay the cost of publication for the next public hearing. (Res. No. 29325-2, 11-8-06; Res. No. 29831-2, 10-24-07)

Secs. 14-396—14-399. Reserved.

ARTICLE XIX. LICENSING FOR BARBERSHOPS, SALONS AND COSMETOLOGY

Sec. 14-400. Definitions.

For the purpose of these regulations:

Authorized agent means the person designated by the director of health to act for him or her in the performance of his/her duties.

Barber means a person licensed pursuant to chapter 386 of the Connecticut General Statutes.

Barbering means (section 20-235 of the Connecticut General Statutes) the following-described practices, when done upon the head, face and neck for cosmetic purposes and done for the public, with or without compensation therefore, shall be construed as practicing the occupation of barber or master barber within the meaning of this chapter: Shaving or trimming the beard; cutting hair, styling or cutting hairpieces and wigs; giving facial and scalp massage or application of oils, creams, lotion or other preparations, either by hand or mechanical appliances, singeing, shampooing or dyeing the hair or applying hair tonic, and applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face or neck; provided nothing this chapter shall permit any of these services or acts herein described to be used for the treatment or cure of any physical or mental disease or ailment.

Barbershop means any establishment engaged in the practice of barbering for the public.

Director of health means the director of health of the New Britain Health Department or his/her duly authorized representative.

Disinfectant means an Environmental Protection Agency (EPA) registered product with demonstrated bactericidal, veridical and fungicidal activity used in accordance with manufacturer's instructions.

Hairdressing and cosmetology means (section 20-250 of the Connecticut General Statutes) the art of dressing, arranging, curling, waving, weav-

ing, cutting, singeing, bleaching and coloring the hair and treating the scalp of any person, and massaging, cleansing, stimulating, manipulating, exercising or beautifying with the use of the hands, appliances, cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or clays and doing similar work on the face, neck and arms, and manicuring the fingernails and, for cosmetic purposes only, trimming, filing and painting the healthy toenails, excluding cutting nail beds, corns and calluses or other medical treatment involving the foot or ankle of any person for compensation, provided nothing in this definition shall prohibit an unlicensed person from performing facials, eyebrow arching, shampooing or braiding hair or manicuring the fingernails.

Hairdressing or cosmetology shop / salon means any establishment engaged in the practice of hairdressing, cosmetology, or barbering for the public.

Nail salon means an indoor establishment, kiosk, or site regardless of duration, that offers, provided, permits or allocates space for the manicuring of finger nails and pedicuring of toe nails or enlists to use of chemicals which include, but is not limited to, resins, plasticizers, solvents, pigments, creams, emollients, adhesives, paints or compressed air brush equipment for the purpose treating, pointing, repairing, and enhancing the human fingernails and toenails.

Nail technician means a person, who for compensation, cuts, shapes, polishes or enhances the appearance of the nails of the hand, including, but not limited to, the application and removal of sculptured or artificial nails.

Operator means an operator is any person, including, but not limited to, a licensed hairdresser/cosmetician or barber, or unlicensed person who is performing tasks allowed under the scope of this Code and the Connecticut General Statutes.

Person means an individual, firm, partnership, company, corporation, trustee, association or any public or private entity.

Person in charge means the individual present in the barbershop or hairdressing and/or cosmetology salon/shop that is the apparent supervisor of the barbershop or hairdressing and/or cosme-

tology salon/shop at the time of inspection. If no individual claims to be a supervisor, then any employee present is deemed to be the person in charge for the purposes of this Code.

Sanitary condition means safe and clean shop/salon conditions that prevent the spread of communicable diseases and protect the public health and welfare.

Work area means a separate room with more than one (1) work station, or a private room set aside to serve one (1) customer at a time.

Work station means a chair, countertop and floor space set aside for the purpose of serving a customer, including floor space for the operator to stand while serving the customer.

(Res. No. 32485-2, 10-23-13)

Sec. 14-401. Establishment requirements.

(a) No barbershop, hairdressing, cosmetology shop and/or nail salon having a permanent location shall be relocated, constructed, remodeled, or extensively altered, nor shall a structure be converted to use as a barbershop or hairdressing and/or cosmetology shop, except in accordance with plans and specifications approved by the New Britain Health Department, heretofore known as NBHD.

(b) Plan review and submission.

- (1) When a barbershop, hairdressing, cosmetology shop and/or nail salon establishment is constructed or remodeled, plans drawn in a minimum one-quarter-inch scale and specifications for construction must be submitted along with barber-shop, hairdressing, cosmetology shop and/or nail salon establishment license application to the department for approval.
- (2) The plans must include, but are not limited to: description and location of work areas and equipment, sinks, counters, storage areas, toilet facilities, fixtures, waiting and viewing areas.
- (3) Manufacturers' specification sheets shall be included in the plan submission for all equipment, floors walls, and ceilings.

- (4) All plans must be approved by NBHD prior to construction of the barbershop, hairdressing, cosmetology shop and/or nail salon establishment.

(c) Prior to the opening of the barbershop, hairdressing, cosmetology shop and/or nail salon, the director of health, or authorized agent, shall conduct a pre-operational inspection to determine compliance with this section, the Connecticut General Statutes, and the Public Health Code of the State of Connecticut.

(Res. No. 32485-2, 10-23-13)

Sec. 14-402. Purpose.

The purpose of these standards is to regulate sanitary conditions at barbershops, hairdressing and cosmetology shops/salons in a way that will:

- (1) Protect and promote public health, safety, and welfare.
- (2) Prevent the spread of disease including, but not limited to, viral bacterial, and fungal infections.

(Res. No. 32485-2, 10-23-13)

Sec. 14-403. Permits.

(a) No person shall maintain or operate any barbershop or hairdressing and/cosmetology shop and/or nail salon without having valid permit issued by the director of health. Only a person who complies with the requirements of this Code shall be entitled to receive or retain such a permit.

(b) Every barbershop or hairdressing and/or cosmetology salon and/or nail salon must comply with local planning and zoning regulations and all other applicable codes before being issued a permit.

(c) Application for a permit shall be made on forms furnished by the director of health, wherein the applicant shall state his/her name(s) and address(es), and whether such applicant is an individual, firm or association, including, but not limited to, any partnership, limited partnership, limited liability partnership, company, limited liability company, corporation, trust or estate, and if not an individual, the name(s) of the partners, members, officers, or if applicable, the

duly authorized representative thereof, including, but not limited to, a fiduciary, trustee, or receiver, together with their addresses; establishment name, the address of the place of business, and give such pertinent information as the director of health may require and affix his signature to the application. All permits are valid for one (1) year or a portion thereof, and are renewable on October 1 of each year.

(d) No permit shall be granted to any individual to operate a barber shop or hairdressing shop unless such person has been licensed as a barber or hairdresser/cosmetician for at least two (2) years.

(e) Every applicant for a permit to operate a barbershop or hairdressing, cosmetology shop and/or nail salon shall pay an annual permit fee set forth under Article 19. Additional charges of fifty dollars (\$50.00) may be assessed for reinspection due to uncorrected violations of this regulation after the initial or any subsequent inspection.

(f) There shall be a twenty (\$20.00) late charge for any barbershop, hairdressing, cosmetology shop and/or nail salon licensing fee not received by September 30. In addition, there shall be an additional twenty dollars (\$20.00) charge for each additional thirty-day period that the fee remains delinquent.

(g) No permit shall be issued or renewed until a completed application has been submitted, all fees have been paid, and the applicant's barber-shop and/or cosmetology salon and/or nail salon meets the requirement set forth in this article and all other applicable state and local regulations.

(h) Permits shall be valid until the expiration date indicated on the permit unless prior to that date the permit is suspended or revoked by the director of health, or until such time as the facility changes owners, closes, or goes out of business.

(i) Permits shall not be transferable from person to person or from location to location.

(j) Permit(s) must be displayed in a prominent location with the establishment where patrons can observe it (them).

(Res. No. 32485-2, 10-23-13)

Sec. 14-404. Inspection.

(a) The director of health shall promulgate such rules and procedures as are necessary to ensure compliance with this Code and all other applicable state and local regulations.

(b) At least once a year, the director of health, or his/her authorized agent, shall inspect each barbershop, hairdressing and/or cosmetology shop/salon and/or nail salon and shall make as many additional inspections as are necessary for the enforcement of this Code, the Connecticut General Statutes, and the Public Health Code of the State of Connecticut.

(c) The director of health, or his/her authorized agent, after proper identification, shall be permitted to enter, during normal operating hours, any portion of any barbershop or hairdressing and/or cosmetology shop/salon for the purpose of making inspection to determine compliance with this Code, the Connecticut General Statutes, and the Public Health Code of the State of Connecticut.

(d) In the event that the director of health finds unsanitary or other conditions in the operation of a barbershop or hairdressing and/or cosmetology shop/salon, or if a violation or set of violations appears on two (2) or more consecutive notices to the permit holder, or person in charge, citing such condition, specifying the corrective action to be taken and time frame within which such action shall be necessary. If corrective action is not made in stated time, the permit may be revoked or suspended and a written order issued to the owner or operator to cease the operation of the salon.

(Res. No. 32485-2, 10-23-13)

Sec. 14-405. Permit suspension and revocation; hearings; appeals.

(a) Failure to comply with the provisions of this Code and applicable regulations shall be grounds for revocation or suspension of any permit issued under the provisions of this Code.

(b) The director of health may suspend, without warning, prior notice or hearing, any permit to operate a barbershop or hair dressing and or cosmetology shop/salon if,

- (1) The owner, operator or person in charge has interfered with the performance of the director of health's duties;

(2) The operation constitutes an imminent hazard to public health including, but not limited to, any one (1) of the following:

- a. There is an ongoing outbreak of infectious, pathogenic or toxic agent capable of being transmitted to consumers.
- b. The absence of potable water, supplied under pressure, in a quality which, in the opinion of the director of health, is capable of meeting the needs of the facility; or
- c. A sewage backup into the facility.
- d. An unlicensed individual is performing procedures requiring licensure by the Connecticut General Statutes.

(c) Suspension shall be effective immediately upon delivery of the written order to the permit holder or person in charge of the facility by the director of health. When a permit is suspended, all barbershop, hairdressing and/or cosmetology and/or nail salon shall cease the operation of the salon upon receipt of the order.

(d) When a permit is to be suspended, the holder of the permit, or the person in charge, shall be notified in writing of the suspension, and an opportunity for a hearing will be provided if a written request from hearing is filed with the director of health by the holder of the permit within three (3) business days. If no written request for a hearing is filed within three (3) business days, the suspension is sustained; The director of health may end the suspension at any time by giving written notice to the permit holder if reasons for suspension no longer exist.

(e) Upon receiving a request for a hearing, the director of health shall schedule a hearing not later than ten (10) business days from the date of actual receipt of the request, to afford the owner the opportunity to present evidence and argument on all facts or issues involved to examine the merits of such suspension.

(f) The director of health shall examine the merits of such suspension and render a decision in writing to vacate, modify, or affirm such suspension within ten (10) business days of the date of the hearing held under this section.

(g) The permit holder who is aggrieved by such action of the director of health may, within three (3) business days, after the making of such decision, appeal to the commissioner of public health, in accordance with section 19a-229 of the Connecticut General Statutes, who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such suspension and may vacate, modify, or affirm such suspension.

(Res. No. 32485-2, 10-23-13)

Sec. 14-406. Sanitation.

(a) *General cleanliness.* Each shop/salon shall be maintained to provide a safe and sanitary environment. All supplied facilities shall be kept clean, sanitary and in good repair.

(b) *Disinfection of reusable equipment.*

- (1) After each use on a patron, all electrical and non-electrical instruments not specifically used for single service, shall be thoroughly cleaned to remove foreign matter, treated with an approved disinfectant or sanitizer, and stored in a protected manner until their next use.
- (2) Disinfectant shall be used and changed in accordance with manufacturer's instruction to ensure complete disinfection. No sediment from the item being disinfected shall be allowed to remain in the bottom of the disinfection container.
- (3) Ultraviolet disinfection is prohibited.
- (4) Disinfectants include, but are not limited to:
 - a. Quaternary ammonium compounds (1:1000 dilution for thirty (30) seconds).
 - b. Alcohol, (ethyl, seventy (70) percent, or isopropyl ninety-nine (99) percent).
 - c. Lubricant sanitizer (ten-second contact time, ten-minute drain time).
 - d. Disinfectant spray (see manufacturer's instructions).
 - e. Bleach (see manufacturer's instructions).

- f. Lysol, compound cresol solution, phenolic compound (five percent solution for three minutes or two percent solution for ten minutes).
- g. Anti-microbial additive (see manufacturer's instructions).
- h. Boiling water (five minutes).
- i. Autoclave (see manufacturer's instructions).
- j. Other method pre-approved by the director of health.

- (5) After handling a customer affected with an eruption or whose skin is broken out or is inflamed or contains pus, the instruments shall be effectively cleaned, washed with soap or a detergent and water, then higher level disinfected by thoroughly submersing in boiling water for twenty (20) minutes; in alcohol (as specified in subsection (2) above) for five (5) minutes; or by another method of higher level disinfection approved by the predirector of health.
- (6) Shaker top containers must be provided for dispensing lotions and powders.

(c) *Disposable and single-use equipment.*

- (1) Disposable or single-use articles shall be disposed of in a waste receptacle after use on each patron unless stored in a separate closed, clean container labeled with the patron's name and used only on that patron.
- (2) All disposable or single-use articles that come into contact with blood and/or body fluids shall be enclosed in sealable plastic bags prior to placing in the waste receptacle.
- (3) All sharp or pointed articles shall be disposed of in a puncture-proof container.
- (d) *Sanitation of foot spas and water baths.*
 - (1) An anti-microbial additive shall be placed in each foot spa or water bath during use.
 - (2) After each patron, the shop/salon shall drain all water and debris, properly disinfect, and dry the foot spa or water bath.

- (3) At the end of each day, the shop/salon shall remove and immerse any filter in disinfectant and flush the foot spa or water bath with low sudsing soap and water.
- (e) *Prohibited equipment and products.*
- (1) It is prohibited to use or store the following items in a shop/salon except for display or historical purposes:
- A lancet or any other device used to break the skin.
 - A razor blade (Credo blade) callus shaver.
 - A multi-use double-edged straight edge razor.
 - Shaving brushes, shaving mugs, powder puffs, sponges and brush neck dusters unless they are single-use disposable implements.
 - Any substance banned by the Food and Drug Administration, including liquid methyl methacrylate monomer (MMA) and methylene chloride.
- (2) Materials to stop the flow of blood may be used only in liquid or powdered form.
- (f) *Towels.*
- (1) Clean, properly laundered or disposable towels shall be used for each patron. A commercial linen service shall be used for laundering if not done on the premises.
- (2) All linens and towels shall be deposited in a covered cleanable receptacle after use by a patron.
- (3) Clean towels and linens shall be stored off the floor in a clean, protected location.
- (g) *Neck protection and capes.*
- (1) If multiple use capes are used, a sanitary neck strip or clean towel shall be placed around a patron's neck so that the cape does not come in contact with the skin of the neck.
- (2) Neck strips shall be discarded after use on each patron.
- (3) Multiple use capes shall be cleaned as often as necessary to ensure a sanitary condition and shall be stored off the floor between uses.
- (h) *Headrest cover.*
- (1) The headrest of chairs shall be covered with a single-use disposable cover.
- (i) *Cosmetics.*
- (1) When only a portion of cream, liquid, powder or other cosmetic preparation is to be removed from the container, it shall be removed in such a way as not to contaminate the remaining portion.
- (2) Multi-use of cosmetic applicators is prohibited. This includes the use of lipsticks, powder puffs, makeup brushes and sponges, which are not disposable.
- (3) Lotions and powders shall be dispensed from a sanitary self-dispensing container.
- (4) Eyebrow pencils shall be sharpened after each use.
- (5) Makeup brushes may be allowed for use if it can be demonstrated that the brushes are being effectively sanitized between uses. Makeup brushes must go through higher level disinfection if exposed to conditions in subsection (j)(2)d. of this section.
- (j) *Operators.*
- (1) Operators shall thoroughly wash their hands with soap and water immediately after using the toilet, eating, or smoking. Before serving each customer, operators shall thoroughly wash their hands with soap, shampoo, or hand disinfectant.
- (2) No operator shall smoke, eat or drink at the workstation.
- (3) Operators shall wear clean, washable garments.
- (4) Combs and other instruments shall not be placed or carried in the pockets of the operator.
- (5) No operator shall remove warts or moles or treat any disease of a patron, nor

perform any medical procedure, such as an injection, nor dispense any medical device.

- (6) No operator shall knowingly serve any patron who is afflicted with impetigo, barber's itch, lice, nits, or ringworm, or other skin conditions in a communicable form.
- (7) All operators shall have an exclusion policy regarding a communicable disease that may be transmitted through the services of a barber, hairdresser, cosmetologist or nail technician. In addition, all operators shall be excluded from performing their respective services if they have disease in a communicable form, when, in the opinion of the director of health, could be transmitted to patrons during the normal scope of services.

(k) *Animals, pets, reptiles or birds.*

- (1) No animal, pet, bird or reptile shall be allowed in the work area or other regulated areas of the shop/salon. This prohibition shall not apply to service animals for the disabled (Section 46-A-42,44 of the Connecticut General Statutes).

(l) *Foods and beverages.*

- (1) Food and beverages shall not be prepared, stored or sold in the permitted premises, except with a valid food permit from the New Britain District Health Department. Coffee and tea may be prepared and kept for the convenience of employees and patrons, but no charge is to be made to patrons who are served. Food and nonalcoholic beverages may, however, be brought into the permitted premises, from an approved source, for immediate consumption and also may be dispensed by means of automatic vending machines on the premises.
- (2) Beverages provided to patrons shall be provided in a disposable container. Food is not allowed at any workstation.

(m) *Water and plumbing.*

- (1) Every shop/salon must have an approved water supply with sufficient hot and cold running water under pressure.
- (2) Hot water at any faucet shall not exceed 110°F.
- (3) All plumbing fixtures must be protected against back-siphonage or backflow.
- (4) Wastewater shall be discharged into municipal sewers where available or into an approved on-site sewage disposal system. Prevailing Connecticut Department of Environmental Protection best management practices should be utilized to minimize impact from discharges/disposal of waste or excess products.
- (5) Plumbing fixtures shall be clean and free from defects.

(n) *Toilet and sink facilities.*

- (1) Each shop/salon shall provide adequate toilet and handwashing facilities for patrons and employees, in accordance with all state and local regulations.
- (2) Toilet and handwashing facilities shall be in working condition at all times, and kept clean and sanitary.
- (3) Each handwashing sink shall have a soap dispenser and disposable towels and/or an air dryer for hand drying.
- (4) At least one (1) handwashing facility shall be located convenient and accessible to each private treatment room.
- (5) Shampoo bowls shall be used for barbering, hairdressing and cosmetology work only.
- (6) A covered refuse receptacle shall be provided in the ladies' room.
- (7) The door to the toilet room must be self-closing.

(o) *Lighting and ventilation.*

- (1) Lighting shall be sufficient to provide adequate illumination in the work area.

(2) The shop/salon shall be properly and adequately ventilated to remove excess heat, vapors, and odors. All vented excess heat, vapors and odors shall not cause a nuisance condition for tenants and occupants of adjacent buildings or premises and/or to the general public.

(3) Windows shall be effectively screened against insects, rodents and other vermin.

(p) *Floors, walls, and ceilings.*

(1) Floors and walls in work areas must have non-porous, easily cleanable coverings and shall be kept clean and in good repair. Floors where tinting or shampooing are done or where chemicals for bleaching hair are used shall have hard and washable surfaces.

(2) Hair clippings shall not be allowed to accumulate on floors or chairs. Hair clippings shall be removed to a proper receptacle after serving each patron.

(3) Ceilings shall be kept clean and in good repair.

(4) Cracks in floors, walls and ceilings shall be filled in so as to prevent the harboring of insects and rodents.

(5) Work areas shall be provided with an effective floor-wall coved juncture molding to prevent accumulation of filth where the floor meets the wall.

(6) All drawers and cabinets used at work stations to store materials and equipment shall be free from accumulations of hair, nails, skin, dirt, and dust, and shall be visually clean upon inspection.

(q) *Barbershop or hairdressing and/or cosmetology shop in residence.*

(1) A barbershop or hairdressing and/or cosmetology shop located in a residence must be confined to a separate room, separated with ceiling-high partitions and provided with a door to be closed at all times.

(2) The area within a home operated as a barbershop or hairdressing and/or cosme-

tology shop must be equipped with the facilities and instruments required in all such establishments.

(r) *Other.*

(1) Material safety data sheets (MSDS) shall be made available to the director of health, or his designated agent, upon request.

(Res. No. 32485-2, 10-23-13)

Sec. 14-407. New Britain Environmental Health Department Proposed Fee Schedule 2010.

<i>Barbershops, Hairdressing and Cosmetology Salons</i>	<i>Fee</i>
Establishment Permit	
With 1—5 work stations:	\$75.00
With 6—10 work stations	100.00
With 11+ work stations	150.00
1st/2nd Reinspection Fee	50.00/inspection
Renewal Permit Application	25.00
Late	
Returned Check Fee	20.00

** Plan Review Fee: \$50.00

(Res. No. 32485-2, 10-23-13)

(g) Any fireworks display presented by or under contract from the city in celebration of Independence Day or any other special event officially observed by the city shall not be subject to the provisions of this section.

(Code 1970, § 2-235(p); Ord. of 8-01)

Cross reference—Weapons regulations generally, § 16-76 et seq.

Sec. 17-53. Loitering after certain hours.

There shall be no loitering in any park between the hours of 11:00 p.m. and 6:00 a.m., but this shall not prohibit persons from using the regular walks and driveways in passing from one part of the city to another; provided, however, the A. W. Stanley Park shall be closed to the general public and to all pedestrian and vehicular traffic between the hours of 10:00 p.m. and 7:00 a.m.; further provided that there shall be no loitering in Washington Park between the hours of 10:00 p.m. and 6:00 a.m., and the Willow Street Park, aka Roberto Clemente Park, shall be closed to the general public and to all pedestrian and vehicular traffic from dusk to 6:00 a.m. The board of park and recreation commissioners will have the prerogative of opening facilities at A. W. Stanley Park as special circumstances may dictate.

(Code 1970, § 2-235(q); Ord. of 1-75; Ord. of 1-9-98; Ord. of 10-98)

Cross reference—Loitering and trespassing generally, § 16-61 et seq.

Sec. 17-54. Swimming pools use restricted to city residents and guests.

Use of the city swimming pools shall be reserved for city residents and their guests.

(Code 1970, § 2-235; Ord. of 9-74)

Sec. 17-55. Stanley Golf Course restrictions.

(a) Nonplayers are prohibited from being on Stanley Golf Course at any time except with the explicit permission of the park and recreation commission.

(b) No person shall practice on the Stanley Golf Course except under the direct control of the golf pro or his agent.

(c) No person shall commence play except at the first or tenth tee. No jumping or starting on other holes is permitted.

(d) Violations of this section shall be punishable by suspension of the right to play the Stanley Golf Course for such period as the park and recreation commission may determine.

(e) In addition to any other penalty applicable to a violation of the rules and regulations pertaining to play, the director of parks and recreation, the greenskeeper, the golf rangers, and the starters shall have the authority to order anyone who shall be in violation of posted rules and regulations to be removed from the course and to have his/her rights to play be suspended from the remainder of the day on which such violation occurred.

(Code 1970, § 2-235(t)—(w); Ord. of 5-75; Ord. of 10-88)

Sec. 17-56. Establishment of the Stanley Park Trust Fund.

(a) There is hereby established a permanent endowment fund known as the Stanley Park Trust Fund. Such fund is established under authority and provisions of section 7-129a of the Connecticut General Statutes.

(b) Pursuant to the requirements set forth in the Stanley Park Deed of Gift, executed December 22, 1927, recorded in the land records for the City of New Britain at Volume 214, Page 473, the Stanley Park Trust Fund is established to ensure that the proceeds from sales of Stanley Park land is "set up in the hands of the City Treasurer as a perpetual trust fund, the income only thereof to be available for use in the development and maintenance of Stanley Park."

(c) The principal of the Stanley Park Trust Fund shall consist of:

- (1) The proceeds from the anticipated sale of a portion of the Stanley Park to Costco;
- (2) The proceeds from any future sale of Stanley Park, in part or in whole in accordance with the Stanley Park Deed of Gift; and
- (3) Any funds from any source designated by the city treasurer of the City of New

Britain, Connecticut, to be added to the Stanley Park Trust Fund for the purposes of said trust fund as set forth herein.

(d) The Stanley Park Trust Fund shall be managed by a committee of the treasurer and five (5) trustees (the "trustees") appointed by the mayor subject to the approval of common council, including one (1) of whom is a representative of land preservation and community benefit interests. One (1) trustee shall be a representative of the Alex W. Stanley heirs to be designated by the heirs. If there are no heirs or the heirs do not designate a representative then the appointment shall be made by the mayor subject to the approval of common council.

(e) In accordance with the Stanley Park Deed of Gift, the principal of the Stanley Park Trust Fund shall be managed only in accordance with the following provisions:

- (1) The trustees shall have exclusive control over any and all principal, income, and disbursements of the Stanley Park Trust Fund; and
- (2) Such funds may be invested under an agreement managed by the city treasurer of the City of New Britain, Connecticut, in accordance with section 45a-535 et seq. of the Connecticut General Statutes and the Stanley Park Deed of Gift.

(f) In accordance with the Stanley Park Deed of Gift, only the interest or earnings on the principal of the Stanley Park Trust Fund shall be expendable solely for use in the development and maintenance of Stanley Park;

(g) The trustees, after consultation with the mayor of the City of New Britain, Connecticut, may appoint a committee of advisors to counsel and advise the treasurer on oversight and distribution of the Stanley Park Trust Fund, interest or earnings, but the trustees are not required to appoint such an advisory committee.

(h) The Stanley Park Trust Fund must be managed in accordance with the requirements of section 7-129a Connecticut General Statutes and the Connecticut Uniform Prudent Management of Institutional Funds Act, section 45a-535 et seq. of the Connecticut General Statutes.

(i) The city treasurer of the City of New Britain must give notice to the attorney general of the State of Connecticut prior to any sale or development of Stanley Park land.
(Res. No. 32797-2, 8-13-14)

Secs. 17-57—17-60. Reserved.

ARTICLE IV. FAIRVIEW CEMETERY COMMISSION

Sec. 17-61. Establishment; composition.

There shall be a Fairview Cemetery Commission. The commission shall be composed of five (5) members who shall be appointed by the mayor as present terms expire. The term of appointment shall be for three (3) years commencing on the first day of January. Members of the Fairview Cemetery Commission shall comply with the Code of Ethics as set forth in sections 2-446 through 2-453 of the City of New Britain Code of Ordinances.

(Ord. of 7-01; Res. No. 28874-2, 2-22-06; Res. No. 29832-2, 10-24-07)

Sec. 17-62. Management by others.

The commission may enter into agreements with another city department or agency to provide management and/or maintenance services if approved by the mayor and the common council. The cost of said services shall be drawn from the accounts of the Fairview Cemetery Fund.

(Ord. of 7-01)

Secs. 17-63—17-68. Reserved.

ARTICLE V. DEPARTMENT OF PARKS AND RECREATION FUNDS

Sec. 17-69. Stanley Municipal Golf Course.

(a) The financial accounting for the Stanley Municipal Golf Course shall be as a separate fund and shall be administered by the city's finance department.

(b) The operation and management of the course shall be vested with the department of parks and recreation.

(c) The commission shall have the authority to establish policies regarding the conduct of play, set the annual and daily rates, and other matters relating to the successful operation of a municipal golf course.

(d) The commission shall further have the authority to employ professional services to assist in the management and operation of the course. Five (5) per cent of all revenue received shall be deposited in the general fund.
(No. 26942-1, 5-8-02)

**Sec. 17-70. Cornelius B. Erwin Trust Fund/
Walnut Hill Park.**

The commission shall dedicate the net annual income from the Cornelius B. Erwin Trust Fund for the specific purpose of annually maintaining, improving, and beautifying Walnut Hill Park in accordance with the bequest to the city of New Britain by Cornelius B. Erwin. The accounting procedure for the investment and expenditure of said funds shall be in a manner satisfactory to the trustees of the trust fund.
(No. 26942-1, 5-8-02)

Sec. 17-71. Stanley Park Fund.

In accordance with the provisions of the land deed to the city by Alix W. Stanley dated December 22, 1927, all funds generated from any sale of said property shall be placed in a special "Stanley Park Fund" with the income only utilized for the development and maintenance of Stanley Park.
(No. 26942-1, 5-8-02)

Sec. 17-72. Willow Brook Park Sports Complex Operating Fund.

This fund shall consist of revenue from parking fees collected at Willow Brook Park events. Fifty-one (51) per cent of the revenue, less expenses, shall be used for maintenance of Willow Brook Park Sports Complex. The balance of the revenue shall be deposited in the general fund.
(No. 26942-1, 5-8-02)

Sec. 17-73. Recreation amusement fund.

This fund shall consist of revenue received from the sale, lease or rental of recreation equipment. Five (5) per cent of all revenue received shall be deposited in the general fund for administrative and related expenses. Fifty (50) per cent of the remaining revenue, less expenses, shall be used to maintain and/or purchase new equipment and the other fifty (50) per cent shall be used for various youth programs administered by the department of parks and recreation.
(No. 26942-1, 5-8-02)

Sec. 17-74. Youth services fund.

This fund shall consist of revenue received in the form of all gifts and donations, fees and/or funds received from any entity or event for the youth services program and Commission on Youth Services Annual Awards Breakfast.
(Res. No. 29121-2, 9-13-06)

Sec. 17-75. Persons with disabilities fund.

This fund shall consist of revenue received in the form of all gifts and donations, fees and/or funds received from any entity or event for the Commission on Persons with Disabilities, Americans with Disabilities Annual Celebration and Commission on Persons with Disabilities, Employment of Persons with Disabilities Annual Awards Breakfast or any like event or services for the advancement of persons with disabilities.
(Res. No. 29121-2, 9-13-06)

Sec. 17-76. Parks and recreation fund.

This fund shall consist of revenue received in the form of gifts and donations to the department of parks and recreation to be used for any program administered by the department.
(Res. No. 29121-2, 9-13-06)

- (2) To hear and decide special exceptions to the terms of any such ordinance, in accordance with rules and limitations therein contained;
- (3) To authorize upon appeal in specific cases such variance from the terms of such ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of such ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

(Ord. of 7-01)

Sec. 19-104. Rules; meetings; minutes.

The zoning board of appeals shall adopt rules in accordance with the provisions of any ordinance of the common council adopted pursuant to the Charter. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or, in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. (Ord. of 7-01)

Sec. 19-105. Appeals to board.

Appeals to the zoning board of appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer charged with the enforcement of the provisions of any ordinance enacted under the authority of the Charter. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with such administrative officer and with the board a notice of appeal specifying the grounds thereof. The administrative officer shall forthwith transmit to the board all the papers constituting the record of the action upon which the appeal was taken. Notice of

appeal shall automatically suspend any construction or use of property involved, unless the administrative officer shall certify to the zoning board of appeals that, by reason of facts stated in such certificate, such suspension will cause imminent peril to life or property, and also unless upon receipt of such certificate the board shall direct such construction or use as may be necessary to eliminate such peril. The board shall fix a reasonable time for the hearing of the appeal, and give due notice thereof to the parties in interest. Notice of the time and place of such hearing shall be posted on the City of New Britain website, as well as being published in a newspaper having a substantial circulation in said city at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days before such hearing. Said board shall decide such appeal within sixty (60) days after the hearing. Upon the hearing any party may appear in person or by agent or by attorney.

(Ord. of 7-01; Ord. No. 28482-2, 5-5-05)

Sec. 19-106. Affirmance or reversal; vote.

In exercising the above-mentioned powers the board may, in conformity with the provisions of the Charter and of any ordinances enacted thereunder, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the administrative officer. The concurring vote of five (5) members of the board shall be necessary to reverse any order, requirement, decision or determination of the administrative officer, or to decide in favor of the applicant as against the city, on any matter upon which it is required to pass.

(Ord. of 7-01)

Sec. 19-107. Appeals from board; stay; costs.

Any person or taxpayer or any officer, department, board or bureau of the municipality, jointly or severally, aggrieved by any decision of the zoning board of appeals, may, within fifteen (15) days of the filing of such decision, make application in the nature of an appeal therefrom to the

court of common pleas for Hartford County setting forth that such decision is illegal, in whole or in part and specifying the grounds of such illegality, which application shall be accompanied by a citation to the said board to appear before such court. Such citation shall be signed by the same authority and such appeal shall be returnable at the same time and served and returned in the same manner as is required in the case of a summons in a civil action. Such appeal shall stay proceedings upon the decision appealed from, but the court, on application, on notice to the board and on due cause shown, may provide that such appeal shall not so operate. If, upon such appeal, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a committee to take such evidence. The court may reverse or affirm, wholly or partly, or modify the decision appealed from or may review the decision appealed from and refer the matter back to the zoning board of appeals with instructions as to its further action in the premises. The court shall try such appeals de novo. Costs shall not be allowed against the city unless it shall appear to the court that the board acted with gross negligence, or in bad faith, or with malice in making the decision appealed from. The above provisions shall not deprive any person aggrieved by any decision of the zoning board of appeals from proceeding by any other civil action permitted by the common law or statutes of this state, in lieu of the above appeal.

The common council may also provide by ordinance that the zoning board of appeals may grant special exceptions to the terms of the zoning ordinance and likewise permits under such exceptions, as to the construction and maintenance of buildings and the use of property in the several zoning districts of the city in all cases in which the conditions of real estate relating to zoning are not the same nor substantially the same throughout the entire zoning district, or if the execution of the law strictly presents practical difficulties, or if by reason of growth, change, development or other circumstances the granting of the exception or permit shall, in the judgment of said board, be not detrimental to the zoning district, nor to a contiguous district. The common council may also pro-

vide that the zoning board of appeals shall have the power to grant such exceptions or permits, subject to such reasonable terms and conditions as said board may deem in any specific case to be appropriate or necessary. All decisions of the zoning board of appeals pursuant to the powers granted to it by this section shall be final, without approval of the common council.
(Ord. of 7-01)

Secs. 19-108—19-129. Reserved.

ARTICLE IX. SCHEDULE OF FEES

Sec. 19-130. Land use application fees.

In accordance with the authority provided under section 8-1c of the Connecticut General Statutes, the following land uses fees shall apply:

Zoning Petitions		
Amendments to the Zoning Ordinance		\$400.00
Changes to the Zoning Map		\$400.00
Zoning Board of Appeals Applications		
Appeal of the Decision of Building Official		\$260.00
Variances		\$260.00
Special Exceptions		\$260.00
Alcohol Permit (<i>whether by variance or special exception</i>)		\$400.00
Motor Vehicle Sales and/or Repairs (<i>whether by variance or special exception, and including variances to site requirements</i>)		\$400.00
Request for postponement*		\$260.00
<i>(*No fee assessed if postponement is due to attendance of fewer than 7 members of the ZBA. No fee assessed if postponement is requested more than 15 days prior to a scheduled hearing date.)</i>		
City Plan Commission		
Subdivision fees		\$225.00
	plus	base fee
		\$50.00
		per lot
Conservation Commission		
Inland Wetlands Permit, basic (<i>no hearing required</i>)		\$250.00
Inland Wetlands Permit, Significant impact determined (<i>public hearing required</i>)	plus	\$250.00
Amendment to Inland Wetlands Map		\$400.00
Aquifer Protection Agency (Conservation Commission)		
Initial Registration:		
Commercial		No Charge
Industrial		No Charge
Other		No Charge

Registration Renewal:		
Commercial		\$200.00
Industrial		\$200.00
Other		\$200.00
Permit Applications:		
Commercial		\$300.00
Industrial		\$300.00
Other		\$300.00
Permit or Registration		
Modification:		\$200.00
Public Hearing Required	plus	\$200.00
Stormwater Management		
Plan Review		\$300.00
Materials Management Plan		
Review		\$300.00
Additional Expenses (including, but not		
limited to, outside consultants, experts,		
or legal advisors, etc.)		Actual Cost

NOTE: All fees above are inclusive of the sixty dollars (\$60.00) state land use fees, mandated under section 22a-27j of the Connecticut General Statutes.
(Res. No. 30857-2, 2-24-10; Res. No. 32671-2, 4-9-14)

Secs. 19-131—19-139. Reserved.

**ARTICLE X. CITY OF NEW BRITAIN
HISTORIC PRESERVATION COMMISSION**

Sec. 19-140. Findings.

The Common Council of the City of New Britain ("council") finds that there exists within the City of New Britain ("city"), many structures, parks, neighborhoods and other areas that have had historic, architectural and economic significance during New Britain's past and which can continue to contribute toward a healthy and thriving future for the city. The council finds that the city's ability to protect, preserve and effectively utilize its architectural and historical heritage and character for aesthetic and economic recovery will be enhanced by an historic preservation ordinance that establishes a mechanism to identify, preserve and enhance distinctive areas, sites, structures and objects that have historic, cultural, architectural, artistic, archeological and environmental significance. The council finds that the city derives much of its charm and unique appearance from its architecture and from its history, especially as the "Hardware Capitol of the

World" and a manufacturing center of nationwide importance. The council further finds that historic and architectural preservation is a means of promoting the general welfare and economic development of the city and its residents. In furtherance thereof and pursuant to its authority under the Charter of the City of New Britain and under the Home Rule Act, section 7-147 of the General Statutes, the council has enacted this article. (Res. No. 31540-2, 9-14-11)

Sec. 19-141. Purpose and intent.

The purpose of this article is to promote the educational, cultural, economic, environmental, and general welfare of the city by:

- (1) Strengthening the city's economy by stabilizing and improving property values and economic activity through the adaptive reuse of historic structures;
- (2) Creating a mechanism to identify, preserve and enhance distinctive areas, sites, structures, features and objects that have historic, cultural, architectural and archeological significance;
- (3) Fostering appropriate use and wider public knowledge and appreciation of such areas, sites, structures, features and objects;
- (4) Protecting and enhancing the attractiveness of the city to homebuyers, homeowners, residents, tourists, visitors, businesses and shoppers;
- (5) Providing a resource for information, education and expertise to those interested in rehabilitation or construction in an historic district or of an historic structure;
- (6) Fostering civic pride in the city's history and development patterns;
- (7) Protecting and enhancing neighborhood character;
- (8) Fostering and encouraging preservation, restoration and rehabilitation that respects the historic, cultural, architectural and archeological significance of distinctive areas, sites, structures and objects; and

- (9) Applying design standards in a reasonable and flexible manner to prevent the unnecessary loss of a community's historical features and to ensure compatible construction and rehabilitation in historic districts while not stifling change and development or forcing modern re-creations of historic styles.

(Res. No. 31540-2, 9-14-11)

Sec. 19-142. Establishment; composition and duties.

There is hereby established a historic preservation commission ("commission") whose purpose and duty shall be to carry out the purpose and to administer the provisions of this article.

There shall be in the City of New Britain a historic preservation commission composed of seven (7) electors of said city, appointed by the mayor, in accordance with subsection 5-2(e) of the City Charter. In order to best fulfill the purpose and intent of this article, every reasonable effort shall be made to have at least two (2) members serving on this commission who are qualified professionals in the fields of law, architecture, architectural history, urban planning or urban design. In order to ensure continuity, all members shall be permitted to serve out their terms regardless of any changes in city administration.

The commission shall adopt rules for the transaction of business and, each January, shall designate a chair from its membership and adopt a meeting schedule for the coming year. The commission shall meet at least once each month and shall keep a public record of its activities and in reporting its action upon any matter referred to it by the common council, shall report the results of voting on each matter including votes in favor, votes opposed and abstentions. No member of the commission shall vote on any measure in which he/she shall have any special pecuniary interest.

- (1) *Terms/term limits.* Initially, commission members shall be appointed to staggered terms of two (2) to five (5) years and, then, thereafter all to five-year terms. No member shall be permitted to serve more than

two (2) consecutive five-year terms without having a break of not less than one (1) year.

- (2) *Vacancies.* Any vacancy occurring before the expiration of the full term of an appointed member shall be filled by the mayor for the remainder of such term pursuant to subsection 5-2(e) of the Charter. In the event of a vacancy, the chairperson shall be entitled to recommend to the mayor the names of individuals deemed qualified for consideration for appointment to the commission.

- (3) *Chairperson; rules.* The historic commission shall elect annually a chairperson and a vice-chairperson from its members. The commission shall, within a period of sixty (60) days from the adoption of this article, adopt rules of procedure that are consistent with and carry out the intent of this article. Said rules of procedure are subject to council approval.

- (4) *Conflict of interest.* No member of the historic commission shall appear for or represent any person, firm, corporation or other entity in any matter pending before the council, or any city board or commission. No member shall participate in discussion or vote upon any matter in which the member is directly or indirectly interested in either a personal or financial manner,

- (5) *Compensation.* (i) The members of the historic commission shall serve without compensation but shall be reimbursed for their necessary and reasonable expenses in the performance of their duties. (ii) The council may make appropriations to cover the reasonable expenses of the commission.

- (6) *Meetings.* The historic commission shall meet at least once per month in a location determined by the members. A quorum shall consist of a minimum of four (4) members. The commission shall keep records of its meetings and activities and

missioners pursuant to the terms of this Code where such person knows or has reason to believe that such consent has not been obtained.
(Code 1970, § 23-5)

Sec. 23-120. Waste of water prohibited; board to judge.

(a) No owner or occupant of any premises shall allow any unnecessary waste of water taken from the city water supply.

(b) The board of water commissioners shall determine what water uses are unnecessary and wasteful in light of existing public needs whenever it becomes necessary to limit the consumption of water in order to conserve the public water supply.
(Code 1970, § 23-6)

Sec. 23-121. Board to terminate service on violation.

(a) The board of water commissioners shall order water service terminated in any premises where:

- (1) The person responsible for the payment of the water bill has failed, neglected or refused to pay the same within the time specified; or
- (2) There has been a violation of any rules or regulations established by the board.

(b) No person shall cause or allow water service terminated pursuant to the terms of this section to be resumed without prior consent of the board of water commissioners.
(Code 1970, § 23-7)

Sec. 23-122. Certain activities on reservoir prohibited.

(a) No person shall trespass upon, or cast or discard any article into any public reservoir. This prohibition shall include engaging in any sports activities at such reservoirs, including, but not limited to, boating, swimming, skating, and fishing.

(b) Notwithstanding subsection (a) of this section, hiking shall be permitted on public watershed land in New Britain pursuant to section 52-557g of the Connecticut General Statutes.
(Code 1970, § 23-8; Res. No. 32274-2, 5-8-13)

Sec. 23-123. Water conserving equipment required on air conditioners.

No person shall use water from the public supply as a cooling agent in air conditioning or refrigerating equipment unless such person also uses water conserving equipment of a type approved by the board of water commissioners.
(Code 1970, § 23-9)

Secs. 23-124—23-130. Reserved.

DIVISION 2. BOARD OF WATER
COMMISSION*

Sec. 23-131. Chairman; duties; compensation.

The chairman of the board of water commissioners shall be the acting commissioner, and shall be responsible for the performance of the duties assigned by the board pertaining to the management of the water department. The compensation of the chairman shall be determined by the council by ordinance.
(Code 1970, § 2-277)

Sec. 23-132. Reports to the council.

The board of water commissioners shall make an annual report to the council at its regular meeting in the month next following the end of the fiscal year. This report shall contain a financial statement of all sums received and expenditures incurred by the water department from any source. This report shall also include a general exhibit of the existing state of the water works and an account of related financial transactions. After this report has been audited, the clerk shall

***Charter reference**—Board of water commissioners, §§ 2521—2550.

record and publish it as the council shall direct. The council may require other reports from the board of water commissioners at any time. (Code 1970, § 2-278)

Sec. 23-133. Appointment of director of water department.

The board of water commissioners shall appoint, subject to the provisions of chapter 3 of the charter, a director of the water department who shall, under the direction of the board of water commissioners, manage all the operations of the board. (Code 1970, § 2-58)

Sec. 23-134. Board of water commissioners.

The board of water commissioners shall consist of five (5) members, of whom not more than three (3) shall belong to the same political party. (Ord. of 7-01)

Sec. 23-135. Term of membership.

Every member of the board shall be appointed to serve a term of four (4) years from the succeeding first day of December. (Ord. of 7-01)

Secs. 23-136—23-140. Reserved.

DIVISION 3. METERS

Sec. 23-141. Required.

All water from the city's water works shall be supplied through one primary meter or a battery or primary meters for each separate service. All water passing through such meters will be billed to the owner of the property supplied as it appears in the records of the department, whether the water is used or wasted. Customers are advised to read their meters frequently in order that leaks of waste may be detected early and large bills prevented. (Code 1970, § 23-2(A); Ord. of 2-72)

Sec. 23-142. Installation.

A water meter shall be installed by the city's water department at no cost to the customer. The

water department shall designate the size of the meter to be installed on any service. The property owner shall furnish a proper place for the water meter, which is to be installed in a horizontal position just inside and as near as possible to the point of entry of the service pipe through the building wall. All small services shall have meters located inside the building regardless of its distance from the street. Other meters shall be located in the building nearest to the street line, provided that this building is not more than seventy-five (75) feet from the street line. In the event that the nearest building is located more than seventy-five (75) feet from the street line, the meter shall be installed just inside the street line in a suitable housing or pit, provided and maintained at the expense of the property owner. (Code 1970, § 23-2(B); Ord. of 2-72)

Sec. 23-143. Condominiums.

Condominiums shall have separate lines and separate meter installation for each unit where, due to high-rise types, it is totally impractical to meter each individual unit, one meter or battery or meters shall be installed in each building. Until all units are sold, the builders shall be responsible and pay all bills due for that building. As part of the sale agreement, the builder shall provide for the establishment of an association comprised of buyers who shall be responsible for the meter, water charges and associated plumbing. The water department will bill the association's treasurer who shall pay the bill and all miscellaneous charges due. Ownership of any mains supplying multifamily units shall be of the group of families. Any repairs shall be paid for equally by the owners.

(Code 1970, § 23-2(C); Ord. of 2-72)

Sec. 23-144. Accessibility.

Meters shall be easily accessible at all times so that they may be examined and read by employees of the department. They shall not be exposed to danger from frost or contamination.

(Code 1970, § 23-2(D); Ord. of 2-72)

Sec. 23-145. Repairs, etc., to be performed by department; stop and waste valves to be installed by owner.

The installation, repair, conversion and disconnection of all meters shall be performed by em-

ployees of the water department only. Approved stop and waste valves shall be installed by the property owner and kept in proper working condition at the expense of the property owner both before and after the meter on the service line to ease the removal or installation of the meters. (Code 1970, § 23-2(E); Ord. of 2-72)

Sec. 23-146. Owner to pay for damages.

If the meter or any part thereof, after being set, sustains damage by frost, hot water or any external cause by the occupant of the premises, property owner, or his agent, the city's water department will repair or replace the meter and the owner shall reimburse the department for all costs incurred.

(Code 1970, § 23-2(F); Ord. of 2-72)

Sec. 23-147. Owner to notify department immediately in case of breakage, stoppage, etc.

In case of breakage, stoppage or any other irregularity in the water meter which needs attention, the property owner shall notify the water department immediately.

(Code 1970, § 23-2(G); Ord. of 2-72)

Sec. 23-148. Testing; adjustment of bill.

Every meter is carefully tested before it is installed, and also before it is reset after being removed for repairs or for any other reason. Periodic tests for duty of each meter will also be made as often as the department may deem necessary. Should a property owner at any time question the accuracy of the meter on his service, it may be tested, only in the presence of the owner or his authorized agent after the department receives the request in writing. A deposit of five dollars (\$5.00) will be required for testing the meter before the meter is disconnected. The department may take the opportunity, after testing, to make any repairs that may be necessary to bring the meter to its standard. Should the meter test show that the meter has been overregistering in excess of two (2) per cent, the allowable tolerance, the deposit will be refunded. If the test is within limit or registers in favor of the customer, the deposit will be retained by the water depart-

ment to cover the cost of the removal, testing and resetting. If the testing of a meter as hereinbefore provided shows that it fails to register correctly within two (2) per cent, the charge to the customer shall be adjusted accordingly, as the registration varies from one hundred (100) per cent; and such adjustment shall apply to the current period only, unless apparent to the department that the previous period's consumption has also been affected by the same error. This means that if a meter registers over two (2) per cent fast, the bill will be adjusted downward to where it would be if the meter were one hundred (100) per cent correct. If a meter registers over two (2) per cent slow, the bill will be adjusted upward to where it would be if the meter were one hundred (100) per cent correct.

(Code 1970, § 23-2(H); Ord. of 2-72)

Sec. 23-149. Procedure in case of failure or removal.

In case a water meter fails to register or has been removed for repairs, testing, or other purposes during the billing period, the bill will be based on the average daily rate of consumption as shown by the meter after it has been returned to service and is in proper working order. If the meter has not been returned to service, the bill will be issued based on the average daily rate of consumption for the previous four (4) periods of billing.

(Code 1970, § 23-2(I); Ord. of 2-72)

Sec. 23-150. City's right to remove, test, etc.

The city's water department reserves the right at all times to remove, test, repair or replace any water meter. The water department of the city will prefer charges in accordance with state laws against any person who shall tamper or deface a meter to prevent the proper registration of the water consumed by altering the register index, the remote reading device or otherwise, or for breaking of any seal placed by the department for the protection of the meter, valve and fitting.

(Code 1970, § 23-2(J); Ord. of 2-72)

Sec. 23-151. Metered services to be equipped with remote reading device.

(a) All metered services shall be equipped with a device such that the water meter can be read remotely from outside of the building. This device

shall be of the standard being used by the city water department and shall be considered as part of the meter. The device will be installed by the water department.

(b) All new buildings shall be provided by the builder with a hole for the wiring and a space for the device to be attached on the exterior of the building before water service is allowed in the building. The exterior device shall be as near to the meter setting as possible, about four (4) feet above the finished grade and in a place affording protection from damage.

(c) All existing metered services shall be converted to read remotely outside the premises on a block by block basis as scheduled by the water department.

(Code 1970, § 23-2(K)—(M); Ord. of 2-72)

Secs. 23-152—23-169. Reserved.

DIVISION 4. WATER SERVICES

Sec. 23-170. Application for installation and renewal of water service line.

An applicant for the installation of a new water service line, or for the renewal of an old water service line, shall be made by the owner of a property, or their agent, by obtaining a tapping permit at the office of the building department of the City of New Britain. The application must state fully and truthfully the purpose for which the water service line is to be used, provide the proper legal description of the property to be served and state the official city street and the street number to be served. An acceptable plot plan which shows the location of the water service line must accompany the permit application.

(Ord. of 5-5-99)

Sec. 23-171. Installation of water service.

Corporation stops shall be installed by the water department only at the distribution main in the street. The charge for the installation of the corporation stop shall be at the rate established in [the] annual budget of the board of water commissioners and must be paid in advance by the owner of the property or its agent. The property owner or

its agent shall excavate around the water main and properly shore the excavation site in order for the corporation stop to be installed by the water department. The water service line must lay in a straight line from the corporation stop to the inside of the building perpendicular to the distribution main. The water service line must have at least four (4) feet of cover to avoid freezing. All water service lines two (2) inches or smaller in diameter shall be type K, extra heavy, soft temper, cold drawn, seamless, deoxidized copper tubing, having a minimum ultimate tensile strength of not less than thirty thousand (30,000) pounds per square inch. Water service lines larger than two (2) inches shall be class 52 cement-line ductile iron pipe in accordance with ASA specifications. All water service lines shall have a shutoff valve as close to the property line as possible. The shutoff valve must be accessible through a curb box bottom and top section. No water service line shall be laid in the same trench with a building drain or sewer pipe. The water service line shall be no closer to any sewer pipe than six (6) feet at any point. The water service line installation shall be inspected and approved by a representative of the water department before being covered. If the water service line is covered prior to inspection, the water department representative will order the area to be uncovered and will not approve the line until an inspection has taken place and is approved.

(Ord. of 5-5-99)

Sec. 23-172. Ownership of service pipes.

Any and all maintenance and repair of the water service line between the water main in the street and the water meter is the responsibility of the owner of the property it serves.

(Ord. of 5-5-99)

CODE COMPARATIVE TABLE

Ordinance/ Resolution Number	Adoption Date	Section	Section this Code
29943-2	1- 9-08		2-25
29981-5	9-10-08	Added	Ch. 2, Art. V, Div. 2B, § 2-428
29983-2	2-13-08		2-25
30037-4	8-13-08		Ch. 2, Art. XIII, tit. 2-778—2-780
30057-2	5-28-08	Added	2-10
30107-2	5-28-08		9-42, 9-43
30124-2	6-25-08	Added	20.5-28(3)
30170-2	7- 9-08		2-531, 2-538
30282-4	12-10-08		2-10(5)(a)1.
30413-2	3-11-09	Added	2-453
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		As	2-454
30543-2	5-13-09	Added	2-31(d)
30710-2	9- 9-09		Ch. 7, Art. III., 7-40—7-48
30712-4	10-28-09		2-770
30847-2	1-27-10		10-14, 10-37, 13-194, 14-256
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30857-2	2-24-10	Added	Ch. 19, Art. IX., 19- 130
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31818-4	6- 5-12	Added	2-911
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31989-2	10- 4-12	Added	14-400
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32189-2	3-13-13	Added	15-80
32192-2	3-27-13	Added	17-40(d)

NEW BRITAIN CODE

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32485-2	10-23-13	Added	14-400—14-407
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32688-2	6-11-14	Added	7-1(e)
32711-2	5-28-14		10-37(d)
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32797-2	8-13-14	Added	17-56
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STATUTORY REFERENCE TABLE

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7-207	Ch. 15, Art. IV, Div. 2(note)	8-151—8-162	Ch. 19(note)
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*Note—The adoption, amendment, repeal, omissions, effective date, explanation of numbering system and other matters pertaining to the use, construction and interpretation of this Code are contained in the adopting ordinance and preface which are to be found in the preliminary pages of this volume.

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