

TOWN COUNCIL MAJORITY OFFICE

ORDINANCE COMMITTEE

MARCH 16, 2020

Robert J. Beck
2020 MAR 23 A 8:51

TOWN CLERK
EAST HARTFORD

PRESENT Rich Kehoe, Temporary Chair; Councillors Sebrina Wilson and Esther Clarke
(via teleconference)

ALSO Marcia Leclerc, Mayor
PRESENT Rich Gentile, Assistant Corporation Counsel
Councillor Awet Tsegai, via teleconference
Brian Millette, 119 Hills Street, via teleconference

CALL TO ORDER

Temporary Chair Kehoe called the meeting to order at 6:00 p.m.

NOMINATION OF OFFICERS

Chair

MOTION By Esther Clarke
seconded by Sebrina Wilson
to **nominate Rich Kehoe as Chair**
of the Ordinance Committee.
Motion carried 3/0.

Secretary

MOTION By Esther Clarke
seconded by Rich Kehoe
to **nominate Sebrina Wilson as Secretary**
of the Ordinance Committee.
Motion carried 3/0.

ADOPTION OF RULES GOVERNING MEETINGS

MOTION By Esther Clarke
seconded by Sebrina Wilson
to **adopt Robert's Rules of Order** as the rules that shall govern
parliamentary procedure at all subcommittee meetings, with the exception
that (1) the Chair shall not be required to restate the motion of any
Council member unless requested by another Councillor, or when in the
discretion of the Chair, such restatement is necessary to avoid any
confusion as to the motion; and (2) where such rules are in conflict with
the provisions of the State Statutes, the Town Charter, or Town
Ordinances.
Motion carried 3/0.

ESTABLISHMENT OF MEETING DATES

MOTION By Esther Clarke
 seconded by Sebrina Wilson
 to **hold** meetings at the **call** of the Chair.
 Motion carried 3/0.

STORAGE OF RECORDS

MOTION By Esther Clarke
 seconded by Sebrina Wilson
 to **store** records in the Town Council office.
 Motion carried 3/0.

APPROVAL OF MINUTES

October 7, 2019 Meeting

MOTION By Esther Clarke
 seconded by Sebrina Wilson
 to **approve** the October 7, 2019 meeting minutes.
 Motion carried 3/0.

OLD BUSINESS

Revisions to Chapter 7: Property Maintenance Code

RV's, Boats:

Brian Millette, a resident, explained to the Committee that the owners of boats and RV's will oftentimes store their vehicles in another place during the winter and then take them out and use them periodically throughout the summer months. His suggestion is that the town allow the boat or RV to be stored in the owner's driveway no more than two weeks at a time during the summertime. This would allow for a period of time where the boat or RV could be parked in the driveway so that they can prepare for the summer season and then use the vehicle periodically throughout the summer but bringing the vehicle back each time and parking it in the driveway for a period of not more than two weeks.

The Chair understood the need for some flexibility within the ordinance for the period of time that such vehicle could be in the driveway but expressed concern about how this could be enforced with a provision that would require the town be notified of the two week period in order to determine whether there is a violation of the ordinance.

The Committee agreed to hold this item pending input from the Inspections & Permits Department as well as the Planning & Zoning Commission.

Bulky Waste:

The Chair discussed the need for more effective and expeditious removal of bulky waste on the curb. There are a number of circumstances in town where people have left waste on the curb, expecting it was going to be picked up by the town but had not arranged for pick up. Currently the town tags the property notifying owners that they have three days to remove the property or arrange for a bulky waste pick up. On day four, the town has the authority to remove the bulky waste and bill the property owner for the cost of removal. Those costs can then be recovered by the town as a lien on the property. This enforcement currently falls under the purview of the Public Works Department.

The blight ordinance, enforced by the Department of Inspections and Permits, already deems unauthorized furniture and other items placed on the curbside to be blight. Therefore, if this were enforced as blight, the same process would occur. However the town has the ability under the property maintenance code to recover the costs of removing the furniture from the curbside through an assessment on the owner's property taxes, which is a far more efficient way for the town to recover its costs.

Mayor Leclerc and Rich Gentile, Assistant Corporation Counsel, will discuss this matter further with both departments (Inspections & Permits and Public Works) and will report back to the Ordinance Committee regarding which department will enforce the ordinance and whether any changes to the ordinance are necessary.

The Committee agreed at this point to take no further action pending a response from the Administration with regard to how these provisions will be enforced and costs of removal are collected.

Revisions to Chapter 2-3b re: Registrars of Voters Salaries

The Chair explained that the registrars had noted the vast majority of voter registrations now come in on-line or through motor vehicle registrations and that it may not be necessary for the office to be opened for the amount of time currently required in the ordinance. The Chair indicated that he was waiting for the registrars to attend the meeting of the Ordinance Committee so they could fully explain the process that they go through, what is required administratively and how many potential voters show up at their office on a weekly basis.

The Committee agreed to hold this issue pending further discussion with the registrars.

Revisions to Chapter 13 re: Nuisances

Rich Gentile, Assistant Corporation Counsel, explained that the section 13-1 was amended to specifically prohibit the operation of dirt bikes and all-terrain vehicles (ATVs) on public property, including roads, as well as on private property close to residential property. The penalty provisions currently in the ordinance provide for fines of up to \$1,000 for a first violation. However, that significant penalty is only authorized by state law to be applicable to the illegal operation of dirt bikes and ATVs, but the ordinance as written assesses that fine for other non-ATV and dirt bike nuisances. Therefore, the ordinance needs to be revised to specify that the \$1,000 fine section only applies to the illegal operation of a dirt bike, ATV, mini-motorcycle or a snowmobile. The standard fine of no more than \$100 per

day would be imposed for the other nuisances that are described in subsection (b) of section 13-1.

Attorney Gentile asked that the Committee hold further discussion on this ordinance pending further clarification from the Police Department regarding other changes that may be needed in section 13-1.

NEW BUSINESS

Chapter 11 Fire-related Ordinances

Due to the coronavirus outbreak issues, Fire Chief John Oates was extremely busy and could not attend tonight's meeting. The Committee will hold this item for a future meeting.

Salons re: Public Act 19-117

The Chair reviewed the provisions of PA19-117 and noted that the provisions empower the Health Director to conduct inspections of nail salons, barbershops and other beauty related facilities and specified the type of inspections that the Health Director would have to conduct. There is statutory authorization for the town to charge up to \$250 per inspection to recover the cost of such inspections. The Committee agreed that the amount of \$250 seems appropriate, but defers to the Town Council for action on this item as there isn't any ordinance change needed to assess that fee.

The Committee members asked that the fee schedule as it currently exists be distributed to all of the Councillors and be posted on the town's website next to the Town Charter and Code of Ordinances on the Council's homepage.

The Committee determined that there was no further action needed on the ordinance side of this issue.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Sebrina Wilson
 to **adjourn** (7:00 p.m.)
 Motion carried 3/0.

cc: Mayor Leclerc
Rich Gentile, Assistant Corporation Counsel
Fire Chief John Oates
Registrars of Voters Mary Mourey and Steve Watkins
Jim Cordier, Health Director
Greg Grew, Inspections & Permits Director
John Lawlor, Public Works Director