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AD HOC REPORT
CITY OF DANBURY ORDINANCES
(Police # 19-4, 19-34.1 and 19-35)
Item #16 ---June 2008

Chairman Arconti called the meeting to order at 7 p.m on June 18, 2008. In attendance were committee members Jack Knapp and Fred Visconti, Deputy Corporation Counsel Les Pinter, Police Chief Baker and ex-officio members Gregg Seabury, Jane Diggs and Paul Rotello.

Chairman Arconti stated the charge of the committee is to examine proposed ammendments to police ordinances 19-4, 19-34, and 19-35 and asked Mr. Pinter to give an overview.

Mr. Pinter said most non-moving violations in the general penalty section are \$50. and can be raised up to \$250. (Three fire zone) fines would be raised to \$100. from the current \$50. as recently discussed by the committee of the whole and if approved by the Council in July.) Clerical changes would: (1)allow a UNIT official to enforce citations, and (2) remove the \$100. maximum for fines.

Parking commercial vehicles in a residential zone currently is \$90. Proposed is up to \$250.

Parking in a handicapped space fine is \$50. Proposed is up to \$250. Clerical changes would remove the wording that the fine is payable to the "tax collector", and offenders would not be subject to arrest.

Chief Baker said that tickets are now issued at \$50. and a five-fold increase seems unreasonable. The Chief recommends to stay consistent and to double all present fines to \$100. each.

Mr. Knapp asked when the fines were increased last. Mr. Pinter said it was 8-10 years ago. Mr. Seabury asked where the fines go. Chief Baker said the fines go to the Records department and then into the General Fund.

Mr. Pinter stated that the current wording allows for fines to double if not paid within 7 days. Discussion followed. Mr. Knapp said that doubling the penalty needs to stay, but 30 days time seems more reasonable.

Mr. Knapp moved to amend ordinance section 19-4 penalties, 19-34.1 parking of commercial vehicles in a residential zone, and 19-35 parking for handicapped persons in accordance with the changes in the fine structure and the language amendments as discussed which will move all fines to \$100. Changes to 19-4c, and 19-35 will double the fine after 30 days instead of the current 7 days. Mr. Visconti seconded the motion. The motion passed unanimously.

Mr. Knapp moved to Adjourn. Seconded by Mr. Visconti. The motion passed unanimously and the meeting adjourned at 7:33 p.m.

Respectfully submitted,

Bob Arconti, Chairman

Jack Knapp

Fred Visconti



43-1

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT Subsection (e) of Section 19-35 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 19-35. Parking for handicapped persons.

(a) *Applicability.* This section shall apply to all new and existing nonresidential sites that have a parking area for twenty (20) or more vehicles, including but not limited to, shopping centers, office buildings, commercial buildings, mercantile buildings, warehouses, storage buildings, manufacturing buildings, convalescent homes, schools and public buildings. In addition, the traffic authority of the City of Danbury or his designee may designate handicapped parking spaces on city streets which shall be of such size and location as he may specify.

(b) *Use of specially designated spaces.* After establishment of specially marked parking spaces for handicapped persons, no person shall park a motor vehicle in such space unless a handicapped person is either a passenger or operator of the vehicle, and the vehicle displays a handicapped identification card or license plate or other handicapped designation issued by the commissioner of motor vehicles or other governmental authority pursuant to the Connecticut General Statutes, which designation shall be visible in accordance with the Connecticut General Statutes.

(c) *Number of spaces to be provided; location.*

(1) On each site having parking spaces for at least twenty (20) but not more than twenty-five (25) vehicles, at least one space shall be specially designated and reserved for handicapped parking. Additional spaces for handicapped parking shall be in accordance with the following:

TABLE INSET:

Total Parking on Site	Required Number of Handicapped Parking Spaces
26--50	2
51--75	3
76--100	4
101--150	5
151--200	6
201--1,000	10
1,001--2,000	10 plus .8% of spaces over 1,000
2,001--3,000	18 plus .6% of spaces over 2,000
3,001--4,000	24 plus .4% of spaces over 3,000
4,001 or more	28 plus .2% of spaces over 4,000

(2) Parking spaces for the handicapped shall be located as close as possible to elevators, ramps, walkways and entrances, and located so that the handicapped person is not compelled to wheel or walk behind parked vehicles to reach entrances, ramps, walkways and elevators.

(3) The exact location of the parking spaces shall be approved by the traffic authority of the City of Danbury or his designee.

(d) *Marking of spaces.* Each such space designated for handicapped parking shall be not less than fifteen (15) feet in width, including three (3) feet of cross hatch, unless the same would create a nonconforming condition, in which event, the existing parking stall width shall be permitted. Each space shall be designated by above grade signs with white lettering against a blue background and shall bear the words "HANDICAPPED PARKING STATE PERMIT REQUIRED." Such signs shall be erected, installed and maintained by and at the expense of the owner, operator, lessee or tenant of said site and shall further indicate that unauthorized use of said space shall subject the violator to a fine. If the signs and markings called for herein are not installed within thirty (30) days after written request by the traffic authority of the City of Danbury, the city may proceed to install the same and impose the cost thereof against the owner of the site.

(e) *Penalty.* Whenever any vehicle shall be found parked in violation of this section any police officer of the Danbury Police Department may issue a summons or citation for such violation, which violation shall provide for a fine in accordance with Sec. 19-4(a) payable to the City of Danbury within seven (7) days of the citation date. If any fine is not paid within thirty (30) days, a penalty in an amount equal to the fine shall immediately become due and payable in addition to the original fine.

(f) *Owner's responsibility for violations.* The registered owner of any vehicle parked in violation of this section shall be presumed to be the operator at the time of the violation.

THAT Subsection (e) of Section 19-35 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 19-35. Parking for handicapped persons.

(a) *Applicability.* This section shall apply to all new and existing nonresidential sites that have a parking area for twenty (20) or more vehicles, including but not limited to, shopping centers, office buildings, commercial buildings, mercantile buildings, warehouses, storage buildings, manufacturing buildings, convalescent homes, schools and public buildings. In addition, the traffic authority of the City of Danbury or his designee may designate handicapped parking spaces on city streets which shall be of such size and location as he may specify.

(b) *Use of specially designated spaces.* After establishment of specially marked parking spaces for handicapped persons, no person shall park a motor vehicle in such space unless a handicapped person is either a passenger or operator of the vehicle, and the vehicle displays a handicapped identification card or license plate or other handicapped designation issued by the commissioner of motor vehicles or other governmental authority pursuant to the Connecticut General Statutes, which designation shall be visible in accordance with the Connecticut General Statutes.

(c) *Number of spaces to be provided; location.*

(1) On each site having parking spaces for at least twenty (20) but not more than twenty-five (25) vehicles, at least one space shall be specially designated and reserved for handicapped parking. Additional spaces for handicapped parking shall be in accordance with the following:

TABLE INSET:

Total Parking on Site	Required Number of Handicapped Parking Spaces
26--50	2
51--75	3
76--100	4
101--150	5
151--200	6
201--1,000	10
1,001--2,000	10 plus .8% of spaces over 1,000
2,001--3,000	18 plus .6% of spaces over 2,000
3,001--4,000	24 plus .4% of spaces over 3,000
4,001 or more	28 plus .2% of spaces over 4,000

(2) Parking spaces for the handicapped shall be located as close as possible to elevators, ramps, walkways and entrances, and located so that the handicapped person is not compelled to wheel or walk behind parked vehicles to reach entrances, ramps, walkways and elevators.

(3) The exact location of the parking spaces shall be approved by the traffic authority of the City of Danbury or his designee.

(d) *Marking of spaces.* Each such space designated for handicapped parking shall be not less than fifteen (15) feet in width, including three (3) feet of cross hatch, unless the same would create a nonconforming condition, in which event, the existing parking stall width shall be permitted. Each space shall be designated by above grade signs with white lettering against a blue background and shall bear the words "HANDICAPPED PARKING STATE PERMIT REQUIRED." Such signs shall be erected, installed and maintained by and at the expense of the owner, operator, lessee or tenant of said site and shall further indicate that unauthorized use of said space shall subject the violator to a fine. If the signs and markings called for herein are not installed within thirty (30) days after written request by the traffic authority of the City of Danbury, the city may proceed to install the same and impose the cost thereof against the owner of the site.

(e) *Penalty.* Whenever any vehicle shall be found parked in violation of this section any police officer of the Danbury Police Department may issue a citation for such violation, which violation shall provide for a fine IN ACCORDANCE WITH SEC. 19-4(a) of fifty dollars ~~(\$50.00)~~ payable to the City of Danbury within seven (7) days of the citation date. If any fine is not paid within THIRTY (30) ~~seven (7)~~ days, a penalty in an amount equal to the fine shall immediately become due and payable in addition to the original fine.

(f) *Owner's responsibility for violations.* The registered owner of any vehicle parked in violation of this section shall be presumed to be the operator at the time of the violation.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.

COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT Section 19-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 19-4. Penalty.

(a) Any person violating the provisions of this article as set forth in this subsection shall be fined in accordance with the following schedule:

TABLE INSET:

Parking Violation	Fine	Code Section
Obstructing Sidewalks	\$50.00 100.00*	19-36
25 Ft. of Corner	\$50.00 100.00*	19-32
On Crosswalk	\$50.00 100.00*	19-56
Front of Driveway	\$50.00 100.00*	19-32
Obstructing Traffic/Streets/Intersections	\$50.00 100.00*	19-32
Fire Hydrant	\$50.00 100.00*	19-33
Fire Zone	\$50.00 100.00*	19-62
Fire Lane	\$50.00 100.00*	19-62
Loading Zone	\$50.00 100.00*	19-56
Snow Emergency	\$50.00 100.00*	19-60
<u>COMMERCIAL VEHICLES IN RESIDENTIAL ZONES</u>	\$100.00*	19-34.1
<u>HANDICAPPED PERSON</u>	\$100.00*	19-35

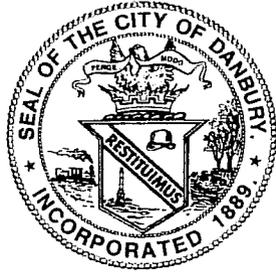
(b) Except as otherwise specifically set forth in subsection (a) hereof, the violation of any rule, regulation or order promulgated by the Traffic Authority of the City of Danbury shall be punishable by a fine established in accordance with state law and as established by the traffic authority.

(c) Fines payable in accordance with subsection (a) hereof shall be remitted to the city within seven (7) days of the issuance of a summons OR CITATION. If any fine is not paid within THIRTY (30) ~~seven (7)~~ days, a penalty in an amount equal to the original fine shall immediately become due and payable in addition to the original fine.

(D) * OR SUCH HIGHER AMOUNT AS MAY BE ESTABLISHED BY VIRTUE OF STATE LAW OR AMENDED PROVISION OF STATE LAW.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.



43-6

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT Section 19-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 19-4. Penalty.

(a) Any person violating the provisions of this article as set forth in this subsection shall be fined in accordance with the following schedule:

TABLE INSET:

Parking Violation	Fine	Code Section
Obstructing Sidewalks	\$100.00*	19-36
25 Ft. of Corner	\$100.00*	19-32
On Crosswalk	\$100.00*	19-56
Front of Driveway	\$100.00*	19-32
Obstructing Traffic/Streets/Intersections	\$100.00*	19-32
Fire Hydrant	\$100.00*	19-33
Fire Zone	\$100.00*	19-62
Fire Lane	\$100.00*	19-62
Loading Zone	\$100.00*	19-56
Snow Emergency	\$100.00*	19-60
Commercial Vehicles in Residential Zones	\$100.00*	19-34.1
Handicapped person	\$100.00*	19-35

(b) Except as otherwise specifically set forth in subsection (a) hereof, the violation of any rule, regulation or order promulgated by the Traffic Authority of the City of Danbury shall be punishable by a fine established in accordance with state law and as established by the traffic authority.

(c) Fines payable in accordance with subsection (a) hereof shall be remitted to the city within seven (7) days of the issuance of a summons or citation. If any fine is not paid within thirty (30) days, a penalty in an amount equal to the original fine shall immediately become due and payable in addition to the original fine.

(d) * or such higher amount as may be established by virtue of state law or amended provision of state law.

COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT subsection (c) of Section 19-34.1. of the Code of Ordinances of the City of Danbury, Connecticut is hereby amended to read as follows:

Sec. 19-34.1. Parking of commercial vehicles in residential zones.

(a) It shall be unlawful for any person to park or leave standing, commercial vehicles, whether occupied or not, on any street or portion thereof in a residential zone, between the hours of 9:00 p.m. and 6:00 a.m.

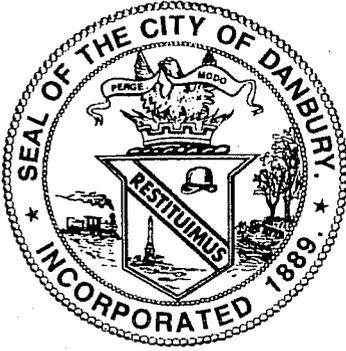
(b) Commercial vehicles shall include those over three-fourths-ton capacity or over ten thousand (10,000) pounds gross combination weight, whichever is less. Excluded are station wagons, compact type bus vehicles and pickup trucks used for private transportation.

(c) Penalty for Violation. Any person violating this section shall be fined IN ACCORDANCE WITH SEC. 19-4(a) HEREOF. not more than ninety (\$90.00) dollars.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.

43-8



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT subsection (c) of Section 19-34.1. of the Code of Ordinances of the City of Danbury, Connecticut is hereby amended to read as follows:

Sec. 19-34.1. Parking of commercial vehicles in residential zones.

(a) It shall be unlawful for any person to park or leave standing, commercial vehicles, whether occupied or not, on any street or portion thereof in a residential zone, between the hours of 9:00 p.m. and 6:00 a.m.

(b) Commercial vehicles shall include those over three-fourths-ton capacity or over ten thousand (10,000) pounds gross combination weight, whichever is less. Excluded are station wagons, compact type bus vehicles and pickup trucks used for private transportation.

(c) Penalty for Violation. Any person violating this section shall be fined in accordance with Sec. 19-4(a) hereof.