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Common Council Committee of the Whole

To: Honorable Mayor Mark D. Boughton and members of the Common Council
Re: Minutes of the Common Council Committee of the Whole held on July 21, 2008

Council President Cavo called the Common Council Committee of the Whole to order at 6:51PM.

The members were recorded as follows:

Present - McMahon, Nagarsheth, Johnson, Trombetta, Calandrino, Visconti, Chianese, Saadi, Cavo, Seabury, Rotello, Teicholz, Arconti, Curran, Knapp, Levy, Stanley

Absent - Councilmen Riley and Perkins were out of town.

19 Present - 2 Absent

4. Police Department- Code of Ordinance, Sections 19-4: 19-34: 19-35
Councilman Seabury moved to adopt the amendment to Code of Ordinance, Sections 19-4: 19-34: 19-35 regarding fines. Seconded by Councilman Nagarsheth. Discussion followed regarding the need for fine increases, clarification of commercial vehicles, driveways, safety issues regarding improper motor vehicle parking and state vs. city tickets. **Motion passed by unanimous vote.**

Councilman Nagarsheth moved to adjourn at 7:15PM. Seconded by Councilman Saadi. **Motion passed by unanimous vote.**

Respectfully submitted,

Doratheia A. Gulya-Stasny
Recording Secretary

Attest:

Joseph M. Cavo
President

/ds/1.0

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
<u>Commercial Vehicles in Residential Zones</u>	<u>\$100.00*</u>	<u>19-34.1</u>
<u>Handicapped person</u>	<u>\$100.00*</u>	<u>19-35</u>

(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.

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.**

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.

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(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.