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CITY OF DANBURY
HEALTH & HUMAN SERVICES DEPARTMENT
155 DEER HILL AVENUE, DANBURY, CONNECTICUT 06810

Central Health Office
203 - 797-4625
Fax 796-1596

Social Services Office
203 - 797-4569
Fax 797-4566

Mayor Mark D. Boughton & City Council
155 Deer Hill Ave.
Danbury, CT 06810

1/21/10

Re: Revised / New Resolutions & Ordinances for 2010

Dear Mayor Boughton & City Council Members:

A number of propose revisions regarding the Health & Humans Services Department fee schedule and services have been prepared in cooperation with both the Finance Department & Cooperation Council's Office. These proposals are attached for your review.

These changes are being proposed at this time for our Department does not charge for certain work required by State Law (i.e. Pool Safety Inspections) and our current fee schedule has not been revised since 2003. Since 2003, the City's baseline costs have increase, we've been required to purchase new equipment to ensure our continued operation to meet state mandates, specific training is required to keep our inspectors certified under state law while our fee schedule has not raised our user fees in over 5 years.

It is our intention to implement these new user generated fees by the beginning of May, 2010. This would allow us to properly notify of our clients in our mailings to occur before the end of May.

Sincerely,

Scott T. LeRoy MPH, MS
Director of Health

Cc: Corporation Council
Finance Dept.

All City Services 311
Eviction Prevention 797-4565
Information-Referral 797-4569

Dial 2-1-1 for all
Connecticut Services!

Emergency Shelter 796-1661
Em. Shelter Fax 796-1660
WIC Program 797-4638



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A.D. 2010

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury has enacted a food service establishment ordinance designated as Chapter 8A of the Danbury Code of Ordinances; and

WHEREAS, Section 8A-6 of said ordinance provides for the establishment of an annual schedule of fees to be collected to defray the expenses of food service establishment licensing.

NOW, THEREFORE, BE IT RESOLVED THAT the Director of the Health and Human Services Department is hereby authorized and empowered to impose the following fees for all licenses issued from July 1 through June 30 of each fiscal year.

1. All food service establishments, which are classified as a Class I food service establishment pursuant to Section 19-13-B42(s)(3)(A) of the Connecticut Public Health Code, shall pay an annual fee of one hundred and fifty dollars (\$150.00).
2. All food service establishments, which are classified as a Class II food service establishment pursuant to Section 19-13-B42(s)(3)(B) of the Connecticut Public Health Code, shall pay an annual fee of two hundred and fifty dollars (\$250.00).
3. All food service establishments which are classified as a Class III food service establishment pursuant to Section 19-13-B42(s)(3)(C) of the Connecticut Public Health Code, shall pay an annual fee of three hundred dollars (\$300.00).
4. All food service establishments which are classified as a Class IV food service establishment pursuant to Section 19-13-B42(s)(3)(D) of the Connecticut Public Health Code, shall pay an annual fee of four hundred dollars (\$400.00).
5. All itinerant food vending establishments which are classified as a Class I itinerant food vending establishment pursuant to Section 19-13-B48(2)(A) of the Connecticut Public Health Code, shall pay an annual fee of one hundred and fifty dollars (\$150.00).
6. All itinerant food vending establishments which are classified as a Class II itinerant food vending establishment pursuant to Section 19-13-B48(2)(B) of the Connecticut Public Health Code, shall pay an annual fee of two hundred and fifty dollars (\$250.00).
7. All itinerant food vending establishments which are classified as a Class III itinerant food vending establishment pursuant to Section 19-13-B48(2)(C) of the Connecticut Public Health Code, shall pay an annual fee of three hundred dollars (\$300.00).
8. All itinerant food vending establishments which are classified as a Class IV itinerant food vending establishment pursuant to Section 19-13-B48(2)(D) of the Connecticut Public Health Code, shall pay an annual fee of four hundred dollars (\$400.00).
9. Any food service establishment that fails to renew its license in accordance with the provisions of Section 8A-7 of the Danbury Code of Ordinances on or before August 1 of the applicable fiscal year shall be subject to a late payment fee of four hundred dollars (\$400.00).

10. The fees established in paragraphs 1 through 8 hereof are intended to defray the costs associated with routine periodic inspections of food service establishments. All such establishments requiring additional inspections due to the existence of conditions observed during routine inspections, which require correction and therefore re-inspection, shall pay a fee of two hundred fifty dollars (\$250.00) per re-inspection.

11. Any plan review and inspection required pursuant to Section 8A-2 and 8A-3 of the Danbury Code of Ordinances in connection with the construction, alteration or remodeling of food service establishments shall be performed by the Director of Health or his designee upon payment of a fee of three hundred fifty dollars (\$350.00).

12. All food service establishments requiring more than one pre-operational inspection pursuant to Section 8A-3 of the Danbury Code of Ordinances due to the existence of conditions observed during the first pre-operational inspection which requires correction and therefore re-inspection, shall pay a fee of two hundred fifty dollars (\$250.00) per re-inspection.

13. Any temporary food service establishment may obtain a license for its operations pursuant to Section 8A-8 of the Danbury Code of Ordinances upon payment of an eighty dollar (\$80.00) license fee.

14. A license fee of thirty-five dollars (\$35.00) shall be required of a non-profit entity operating a food service establishment, which entity has provided to the Director of the Health and Human Services Department or his designee, written proof of its officially designated non-profit status pursuant to the applicable provisions of the Internal Revenue Code. All necessary application materials must be filed with the Department of Health and Human Services at least five (5) business days prior to the date of the event pertaining to the temporary food license application. If all such materials are not filed on a timely basis, and additional time is required to process the application materials, then all such costs associated with the additional processing time shall be paid by the applicant. The Director or his designee may waive all or part of the additional expenses in his sole discretion.



RESOLUTION

13-3

CITY OF DANBURY, STATE OF CONNECTICUT

_____A.D. 2010

RESOLVED BY THE CITY COUNCIL OF THE CITY OF DANBURY

WHEREAS, the City of Danbury has enacted an ordinance designated as Section 10-10 concerning, among other things, the issuance of certificates of apartment occupancy; and

WHEREAS, Subsection 10-10(4) of said ordinance provides for the establishment of a fee to be charged in connection with the issuance of said certificates.

NOW, THEREFORE, BE IT RESOLVED THAT the Director of the Health and Human Services Department is hereby authorized and empowered to impose a fee of eighty dollars (\$80.00) for the issuance of all such certificates of apartment occupancy.

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2010



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

THAT Section 9-8 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 9-8. Subsurface sewage disposal system permit.

(a) No subsurface sewage disposal system permit shall be issued by the health department of the City of Danbury until the applicant has paid the required permit fee of one hundred fifty dollars (\$150.00). No subsurface sewage disposal system shall be repaired until a permit authorizing said repair has been issued by the health department of the City of Danbury and the applicant has paid the required permit fee of one hundred fifty dollars (\$150.00)

(b) In addition, when required by the director of the Danbury Health Department pursuant to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut, the proposed system shall be based upon a plan prepared by a professional engineer, registered in the State of Connecticut. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of one hundred fifty dollars (\$150.00). Further, when required by the Director of the Danbury Health Department, the proposed system for properties not subject to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut shall be based on a plan prepared by a Connecticut licensed sub-surface sewage installer. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of one hundred fifty dollars (\$150.00).

(c) In those instances where a professional engineer prepares a plan pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be given until the required fee has been paid. The fee for the review for the aforesaid plans shall be in the amount of two hundred fifty dollars (\$250.00). Further, in those instances where a professional engineer prepares a plan for retroactive approvals pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of two hundred fifty dollars (\$250.00).

In those instances where a licensed sub-surface sewage installer prepares a plan pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be given until the required fee has been paid. The fee for the review for the aforesaid plans shall be in the amount of two hundred dollars (\$200.00). Further, in those instances where a licensed sub-surface sewage installer prepares a plan for retroactive approvals pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of two hundred dollars (\$200.00).

(d) In those instances where plans prepared by a professional engineer or sub-surface sewage installer are revised by the applicant, as opposed to those revisions requested by the Danbury Health Department, no plan approval shall be given until a fee of fifty dollars (\$50.00) is paid for each applicant revision.

COPY SHOWING DELETIONS AND NEW LANGUAGE

13-5

Sec. 9-8. Subsurface sewage disposal system permit.

(a) No subsurface sewage disposal system permit shall be issued by the health department of the City of Danbury until the applicant has paid the required permit fee of one hundred FIFTY ~~twenty-five~~ dollars (\$150.00 ~~125.00~~). No subsurface sewage disposal system shall be repaired until a permit authorizing said repair has been issued by the health department of the City of Danbury and the applicant has paid the required permit fee of ONE HUNDRED FIFTY DOLLARS (\$150.00) ~~seventy-five dollars (\$75.00)~~.

(b) In addition, when required by the director of the Danbury Health Department pursuant to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut, the proposed system shall be based upon a plan prepared by a professional engineer, registered in the State of Connecticut. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of one hundred FIFTY DOLLARS (\$150.00) ~~twenty-five dollars (\$125.00)~~. Further, when required by the Director of the Danbury Health Department, the proposed system for properties not subject to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut shall be based on a plan prepared by a Connecticut licensed sub-surface sewage installer. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of ONE HUNDRED FIFTY DOLLARS (\$150.00) ~~seventy-five dollars (\$75.00)~~.

(c) In those instances where a professional engineer prepares a plan pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be given until the required fee has been paid. The fee for the review for the aforesaid plans shall be in the amount of TWO HUNDRED FIFTY DOLLARS (\$250.00) ~~one hundred twenty-five dollars (\$125.00)~~. Further, in those instances where a professional engineer prepares a plan for retroactive approvals pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of two hundred fifty dollars (\$250.00).

In those instances where a licensed sub-surface sewage installer prepares a plan pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be given until the required fee has been paid. The fee for the review for the aforesaid plans shall be in the amount of TWO HUNDRED DOLLARS (\$200.00) ~~seventy-five dollars (\$75.00)~~. Further, in those instances where a licensed sub-surface sewage installer prepares a plan for retroactive approvals pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of two hundred dollars (\$200.00).

(d) In those instances where plans prepared by a professional engineer or sub-surface sewage installer are revised by the applicant, as opposed to those revisions requested by the Danbury Health Department, no plan approval shall be given until a fee of fifty dollars (\$50.00) is paid for each applicant revision.

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.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2010

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

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section, to be numbered 11-7, which said section reads as follows:

Sec. 11-7. Public swimming pools.

(a) Definitions. As used in this section, the phrase "public pool" shall have the definition assigned to it under the provisions of Section 19-13-B33b(a)(1) of the Regulations of Connecticut State Agencies, as amended.

(b) License to operate. No person, firm, corporation or other entity shall operate or maintain any public pool within the City of Danbury without a license. All such licenses shall be issued by the Health and Human Services Department upon written application made on forms provided by the Director. Licenses shall be effective for a period of not more than one year commencing on the date of issuance and expiring on the following June 30th unless otherwise revoked pursuant to the provisions of subsection (e) hereof.

(c) License fee. No license shall be issued by the Health and Human Services Department until the applicant has paid a fee of two hundred fifty dollars (\$250.00) per public pool.

(d) Inspections. Whenever the Director of Health and Human Services has ordered a licensee to correct one or more conditions that violate the provisions of 19-13-B33b of the Regulations of Connecticut State Agencies, as amended, or that otherwise fail to comport with the demands of public health and safety the Director of Health and Human Services or his authorized designee shall thereafter perform an inspection to determine whether or not the licensee has complied with said order. If said inspection reveals that the licensee has failed to perform the required corrections or has performed said corrections inadequately, the licensee shall pay a fee of fifty dollars (\$50.00) for each subsequent inspection that may be required in connection with said order.

(e) Suspension and Revocation. The Director of Health and Human Services shall have authority to order the suspension or revocation of any license issued pursuant to the provision of subsection (b) hereof whenever he concludes that the licensee has failed to comply with the requirements of 19-13-B33b of the Regulations of Connecticut State Agencies, as amended, or otherwise when the demands of public health and safety require it. The Director of Health and Human Services shall promptly send a written notice of the order of revocation or suspension to the licensee indicating the reasons for said action and advising the licensee of his right to appeal said order to the Commissioner of Health Services in accordance with Section 19a-229 of the Connecticut General Statutes and Sections 19-2-1 to 19-2-43 inclusive of the Regulations of Connecticut State Agencies, as amended.

THAT THE CODE OF ORDINANCES OF DANBURY, CONNECTICUT IS HEREBY AMENDED BY ADDING A SECTION, TO BE NUMBERED 11-7, WHICH SAID SECTION READS AS FOLLOWS:

SEC. 11-7. PUBLIC SWIMMING POOLS.

(A) DEFINITIONS. AS USED IN THIS SECTION, THE PHRASE "PUBLIC POOL" SHALL HAVE THE DEFINITION ASSIGNED TO IT UNDER THE PROVISIONS OF SECTION 19-13-B33B(A)(1) OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES, AS AMENDED.

(B) LICENSE TO OPERATE. NO PERSON, FIRM, CORPORATION OR OTHER ENTITY SHALL OPERATE OR MAINTAIN ANY PUBLIC POOL WITHIN THE CITY OF DANBURY WITHOUT A LICENSE. ALL SUCH LICENSES SHALL BE ISSUED BY THE HEALTH AND HUMAN SERVICES DEPARTMENT UPON WRITTEN APPLICATION MADE ON FORMS PROVIDED BY THE DIRECTOR. LICENSES SHALL BE EFFECTIVE FOR A PERIOD OF NOT MORE THAN ONE YEAR COMMENCING ON THE DATE OF ISSUANCE AND EXPIRING ON THE FOLLOWING JUNE 30TH UNLESS OTHERWISE REVOKED PURSUANT TO THE PROVISIONS OF SUBSECTION (E) HEREOF.

(C) LICENSE FEE. NO LICENSE SHALL BE ISSUED BY THE HEALTH AND HUMAN SERVICES DEPARTMENT UNTIL THE APPLICANT HAS PAID A FEE OF TWO HUNDRED FIFTY DOLLARS (\$250.00) PER PUBLIC POOL.

(D) INSPECTIONS. WHENEVER THE DIRECTOR OF HEALTH AND HUMAN SERVICES HAS ORDERED A LICENSEE TO CORRECT ONE OR MORE CONDITIONS THAT VIOLATE THE PROVISIONS OF 19-13-B33B OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES, AS AMENDED, OR THAT OTHERWISE FAIL TO COMPORT WITH THE DEMANDS OF PUBLIC HEALTH AND SAFETY THE DIRECTOR OF HEALTH AND HUMAN SERVICES OR HIS AUTHORIZED DESIGNEE SHALL THEREAFTER PERFORM AN INSPECTION TO DETERMINE WHETHER OR NOT THE LICENSEE HAS COMPLIED WITH SAID ORDER. IF SAID INSPECTION REVEALS THAT THE LICENSEE HAS FAILED TO PERFORM THE REQUIRED CORRECTIONS OR HAS PERFORMED SAID CORRECTIONS INADEQUATELY, THE LICENSEE SHALL PAY A FEE OF FIFTY DOLLARS (\$50.00) FOR EACH SUBSEQUENT INSPECTION THAT MAY BE REQUIRED IN CONNECTION WITH SAID ORDER.

(E) SUSPENSION AND REVOCATION. THE DIRECTOR OF HEALTH AND HUMAN SERVICES SHALL HAVE AUTHORITY TO ORDER THE SUSPENSION OR REVOCATION OF ANY LICENSE ISSUED PURSUANT TO THE PROVISION OF SUBSECTION (B) HEREOF WHENEVER HE CONCLUDES THAT THE LICENSEE HAS FAILED TO COMPLY WITH THE REQUIREMENTS OF 19-13-B33B OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES, AS AMENDED, OR OTHERWISE WHEN THE DEMANDS OF PUBLIC HEALTH AND SAFETY REQUIRE IT. THE DIRECTOR OF HEALTH AND HUMAN SERVICES SHALL PROMPTLY SEND A WRITTEN NOTICE OF THE ORDER OF REVOCATION OR SUSPENSION TO THE LICENSEE INDICATING THE REASONS FOR SAID ACTION AND ADVISING THE LICENSEE OF HIS RIGHT TO APPEAL SAID ORDER TO THE COMMISSIONER OF HEALTH SERVICES IN ACCORDANCE WITH SECTION 19A-229 OF THE CONNECTICUT GENERAL STATUTES AND SECTIONS 19-2-1 TO 19-2-43 INCLUSIVE OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES, AS AMENDED.