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**REPORT- COMMITTEE OF THE WHOLE – OCTOBER 17, 2006**

Section 12-7 Ordinance – Establishment of Penalties for Zoning Regulation Violations;  
Citation Procedure.

The Common Council met as a committee of the whole immediately following a public hearing in the common Council Chambers in City Hall on October 17, 2006.

In attendance were McMahon, Calandrino, Cavo, Chianese, Esposito, Basso, Rotello, Diggs, Teicholz, Cutsumpas, Riley, Saracino, Seabury, Negarsheth, Trombetta, Perkins, Visonti, Taborsak. Also in attendance were Laszlo Pinter, Corporation Counsel and Sean Hearty, Director of Permit Center. Absent Johnson, Saadi and Stanley

**Section 12-7 Ordinance** – Establishment of Penalties for Zoning Regulation Violations;  
Citation Procedure.

Mr. Calandrino made a motion to receive the communications and have the Common Council adopt this ordinance at the next regularly scheduled meeting. Seconded by Mrs. Basso.

Mr. Perkins asked for examples of violations from Mr. Hearty. He stated some examples such as citing landlords for illegal apartments, commercial vehicles in residential zone. This citation procedure will state that notice was given and the owner has seven days to comply or will be fined.

Mr. Chianese asked if this ordinance would address illegal parking on grass. Mr. Hearty said yes this ordinance would apply.

Mrs. Taborsak asked what happens on the eighth day after a citation has been issued.

Mr. Pinter stated that the first citation as authorized by the ordinance allows for a penalty of \$150 per day.

Mr. Perkins asked if this \$150 a day fine still continues during the appeal process.

Mr. Pinter stated yes it does continue during the appeals process.

Mr. Cavo moved to adopt this ordinance at its next regularly scheduled meeting of the Common Council. Motion carried unanimously.

Respectfully submitted,

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Joseph Cavo, President

22-1



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

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

#### Section 12-7. Establishment of Penalties for Zoning Regulation Violations; Citation Procedure

- (a) The Zoning Enforcement Officer of the City of Danbury is authorized to issue citations for zoning violations of the Regulations of the City of Danbury to the extent and in the manner provided by this Ordinance and authorized by Section 8-12a of the Connecticut General Statutes. A citation may be issued for any violation of the Zoning Regulations of the City of Danbury. No citation shall be issued unless a written warning is issued providing notice of the specified violation to be corrected. The warning shall explain the citation enforcement procedures which may be used if the alleged zoning violation is not corrected within seven (7) days of the date of receipt of the warning. The Zoning Enforcement Officer shall file and retain an original or certified copy of the citation.
- (b) The fine for each citation shall be One hundred Fifty (\$150.00) dollars for each day a violation continues, payable to the Treasurer of the City of Danbury. A party receiving a citation shall be allowed a period of thirty (30) days from the date of receipt of the citation to make an uncontested payment of the fine specified in the citation.
- (c) Any citation or warning may be served by hand delivery or certified mail, return receipt requested. If the party named in a citation or warning sent by certified mail refuses to accept such mail, the citation or warning maybe sent by regular United States mail. If the citation or warning has been sent by regular United States mail, the date of receipt shall be deemed to be three (3) business days after the date of mailing.
- (d) The hearing procedure for any citation issued pursuant to this Ordinance shall be in accordance with the provisions of Section 7-152c of the Connecticut General Statutes and Section 12-35 of the Danbury Code of Ordinances, except that no zoning enforcement officer, building inspector or employee of the City of Danbury may be appointed to be a hearing officer.