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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

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MAYOR

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January 25, 2007

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

We are proud of our great city and the fine quality of life we enjoy here. Danbury – “The Gateway to New England” – should always strive to be a great place to live, work and raise a family. In the spirit of our community goals, I am writing to ask for your support of an aggressive campaign to assure Danbury’s status as a great city.

The “*Keep Danbury Beautiful – Don’t Dump on Danbury*” campaign’s 3-point focus will enhance enforcement, education and prevention of littering and illegal dumping in Danbury. My proposed changes to the Code of Ordinances will empower any police officer or designated member of the Unified Neighborhood Inspection Team (UNIT) to issue fines up to \$1,000 for littering or illegal dumping. These changes will address irresponsible property owners’ failure to clean litter on their property and neighboring areas affected by their litter.

I also propose an Ordinance regulating the placement of vending machines or “honor boxes” on streets and sidewalks in the city. A recent proliferation of these boxes presents littering challenges and safety concerns as they often obstruct safe pedestrian passage on downtown sidewalks.

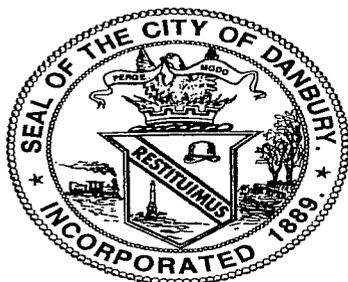
Keep Danbury Beautiful - Don’t Dump on Danbury” is a comprehensive program to encourage our residents and property owners to take ownership in a clean city. I look forward to working with our community leaders to assure the success of this program.

Sincerely,

Mark D. Boughton
Mayor

MDB/mm

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ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT Chapter 11A of the Code of Ordinances of Danbury, Connecticut is hereby established by the enactment of Sections 11A-1 through 11A-6, which sections shall read as follows:

CHAPTER 11A. Littering Regulation

Sec. 11A-1. Definition.

For the purposes of this Chapter the word "litter" means as defined in C.G.S. Section 22a-248(4) as amended, any discarded, used or unconsumed substance or waste material, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material which has not been deposited in a litter receptacle.

All other applicable definitions shall be as defined in the Connecticut General Statutes, including the specific provisions of CGS Sec. 22a-248 thereof.

Sec. 11A-2. Littering on public or private property prohibited.

- A. Pursuant to provisions of C.G.S. Section 22a-250(a), as amended, no person shall throw, scatter, spill or place or cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property in the City of Danbury or upon private property in the City of Danbury not owned by said person or in the waters of the City of Danbury including, but not limited to, any public highway, park, beach, campground, forest land, recreational area, mobile manufactured home park, road, street or alley except: (1) when such property is designated by the state or the City of Danbury for the disposal of solid waste, recyclable solid waste, garbage or refuse, and such person is authorized to use such property for such purpose; (2) into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said private or public properties or waters.
- B. Nothing in this section shall be construed to prevent the placing of approved containers which contain litter at curbside for schedule collection, as provided for in this chapter.
- C. Pursuant to C.G.S. section 22a-226d(a), as may be amended from time to time, violation of this section is punishable by a fine of up to one thousand dollars (\$1,000.00) per violation. Each separate activity pursuant to subsection A. shall constitute a separate offense.
- D. Pursuant to C.G.S. section 22a-226d(b), any police officer, the City of Danbury UNIT Litter Control Officer, and any other person so authorized by the Chief Executive Officer may issue a citation to any person who commits a violation under this section in accordance with Sec. 12-34 and 12-35 of the Code of Ordinances of the City of Danbury. In addition, enforcement of this section may, in the alternative, be through remedies available through other law not otherwise inconsistent herewith.

Sec. 11A-3. Dumping on public or private property prohibited.

- A. Consistent with the provisions of Sec. 16A-1 hereof, any collector, who dumps more than one (1) cubic foot in volume of solid waste at one time in an area not designated for such disposal by the City of Danbury pursuant to the provisions of section 22a-220a of the Connecticut General Statutes or who knowingly mixes other solid waste with items designated for recycling pursuant to section 22a-241b of the Connecticut General Statutes or pursuant to the provisions of Chapter 16A hereof, shall for a first violation be liable for a civil penalty of not more than two thousand five hundred dollars (\$2,500.00) for each violation and not more than ten thousand dollars (\$10,000.00) for a subsequent violation. Each day a violation persists shall constitute a separate offense.
- B. Any person, other than a collector, who: (1) Dumps more than one cubic foot in volume of solid waste at one time in a solid waste or refuse collection container without the authorization of the owner of such container or (2) dumps any material into a recycling collection container used to collect another type of material for purposes of disposal by a collector shall be guilty of an infraction as provided for in chapter 881b of the Connecticut General Statutes. Any owner or lessor of a solid waste or refuse collection container may post signs on or near such container which indicate that the unauthorized disposal of waste in such container shall constitute an infraction punishable in accordance with state law. Any Danbury police officer may issue a summons for the commission of an infraction for any violation of this subsection.

Sec. 11A-4. Obstruction to public travel.

No person without a permit from the director of engineering shall place, keep or knowingly suffer to remain, any box, bale, case, barrel, bundle, package, goods, ware, merchandise, cart, carriage, vehicle, lumber, refuse matter, rubbish, earth or stones, or any article, material or thing of any kind or description upon highway, street, sidewalk or public place in said city, so as to obstruct, interfere, or cause inconvenience to public travel.

Sec. 11A-5. Clean community provisions.

- A. The owner, occupant, tenant, lessee, proprietor, person in charge, or person using or occupying any commercial, multiple family structure, institutional or industrial building, establishment or property in the City of Danbury, jointly and severally, is hereby required to keep the public walkways and roadways, driveway, yards, parking areas, work areas, including but not limited to loading and unloading areas, and lots adjacent thereto and under his or her control reasonably clean at all times and to place sweepings in a container to prevent scattering. If deemed necessary or advisable by the Litter Control Officer, said owner, occupant, tenant lessee, proprietor, person in charge, or person using or occupying any commercial, institutional or industrial building, establishment or property in the City of Danbury, shall provide approved containers of such size, number and type as may be specified by the Litter Control Officer to be reasonably required to hold litter generated by operations on the premises.
- B. Every owner, occupant and lessee of a house or building shall be jointly and severally required to maintain garbage and recyclable solid waste storage areas in a clean condition and to insure that all garbage is kept in an approved container.

- C. Property owners and general contractors in charge of a construction site are jointly and severally required to furnish approved containers for construction litter. All litter from construction and related activities shall be containerized and shall be picked up and placed in the approved containers at the end of each workday.
- D. Owners of any food establishment which sells food for consumption on premises or off premises is hereby required to keep the public walkways and roadways, driveways, yards, parking areas, work areas, including but not limited to loading and unloading areas, and lots adjacent thereto, clean at all times and to place sweepings in a container to prevent scattering within a radius of two hundred (200) feet.
- E. Pursuant to C.G.S. Sec. 22a-226d(b), any police officer, the City of Danbury UNIT Litter Control Officer, and any other person so authorized by the Chief Executive Officer may issue a citation to any person who commits a violation under this section. Each day a violation persists shall constitute a separate offense. This penalty shall be in addition to any civil penalties applicable under C.G.S. Sec. 22a-220a(i). Three (3) citations in one (1) year may result in the revocation of any permits, certificates and/or licenses issued by the City.

Sec. 11A-6. Severability.

If any provision of this section or the application thereof shall be held invalid or unenforceable, the remainder of this section or the application of such terms and provisions to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each remaining term and provision hereof shall be deemed valid and be enforced to the fullest extent permitted by law.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

COMMON COUNCIL

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

THAT Subsection 12-34(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended by adding paragraphs (8) and (9) which said paragraphs read as follows:

Sec. 12-34. Citations.

(b)(8) The UNIT Litter Control Officer, or his designee, shall be authorized to issue citations imposing fines for violations of the provisions of chapter 11A-1 of the Danbury Code of Ordinances.

(b)(9) The Director of Public Works, or his designee, shall be authorized to issue citations imposing fines for violations of the provisions of chapter 11B of the Danbury Code of Ordinances.