



## REGULAR MEETING – ORDINANCE COMMITTEE AGENDA

APRIL 15, 2025, 7:00 PM  
BY ZOOM VIRTUAL MEETING

To allow public access, anyone may access a meeting by telephone and/or Zoom, or a recording in the City of Norwalk YouTube channel. Specific instructions and links can be found at [norwalkct.gov/meetings](https://norwalkct.gov/meetings).



Members of the public may call in to participate. Callers will not be able to see the meeting participants. All participants will be muted upon entering the meeting. To speak, dial \*9 on the phone and you will be called on by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide "live comments" may also use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called by the host of the meeting during the public comment section. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed. Please find the information using the link above.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email Brian Candela at [bcandela@norwalkct.gov](mailto:bcandela@norwalkct.gov) with the subject line "Public Comment" to provide written public comment prior to the meeting.

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **PUBLIC HEARING**

- A. Discuss and vote on Chapter 73A: Parking Authority, sections 73A-1 through 73A-9
- B. Discuss and vote on Chapter 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site

IV. **PUBLIC PARTICIPATION**

V. **ACCEPTANCE OF MINUTES**

- A. **Regular Meeting: Vote to accept and approve draft minutes from the March 18, 2025 regular meeting of the ordinance committee**

1. Vote to accept and approve draft minutes from the March 18, 2025 regular meeting of the ordinance committee

**VI. OLD BUSINESS**

- A. Discuss and vote on new proposed ordinance: Use of Automated Traffic Enforcement Safety Devices
- B. Discuss and vote on new proposed ordinance: Issuance of Citations; Hearing Procedure

**VII. NEW BUSINESS**

- A. Discuss and vote on Code of Ethics, Section 32-11, Subsequent Employment

**VIII. DISCUSSION**

**IX. ADJOURNMENT**

## Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Chapter 73A: Parking Authority, Sections 73A-1 through 73A-9. Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by April 11, 2025.

### Chapter 73A

#### PARKING AUTHORITY

##### **§ 73A-1. Creation; powers and duties.**

There is hereby created, in accordance with the provisions of ~~Chapter 100~~, Sections 7-202 to 7-212a of the Connecticut General Statutes, as amended (the "~~Chapter~~Act"), an authority known as the "Norwalk Parking Authority." The Norwalk Parking Authority (the "Authority") shall have all the powers and perform all the duties that are by law granted to or imposed upon parking authorities under and by virtue of the provisions of the ~~Chapter~~Act, as it shall be amended from time to time, subject to the provisions of this ~~ordinance~~Chapter.

##### **§ 73A-2. Responsibility for parking facilities; Enforcement of parking regulations.**

- A. The Authority shall have all of the powers and perform all of the duties that are by law granted to or imposed upon parking authorities under and by virtue of the provisions of the ~~chapter~~Act with respect to all City parking facilities. For purposes of this ~~Ce~~chapter, "City parking facilities" shall mean lots, garages, parking terminals or other structures and accommodations for the parking of motor vehicles off the street or highway and open to ~~the general~~public use with or without charge, and off-street and on-street parking meters owned by the City wherever located, including, without limitation, parking facilities and parking meters constructed subsequent to the effective date of this ~~Ce~~chapter, additions to or replacements of existing parking facilities and parking meters and parking facilities and parking meters within mixed-use facilities, including the property comprising the South Norwalk, East Norwalk and the Merritt 7 Railroad Stations and their related parking facilities, subject to relevant agreements with the State of Connecticut. The areas included within the definition of this term are all buildings and improvements and all means of ingress and egress used to access and travel about within the railroad station facilities. Excluded from this definition is the property comprising the Rowayton Rail Station which is subject to an agreement with the State of Connecticut, unless otherwise provided for by a separate agreement by and between the City and the Parking Authority.
- B. The Authority is hereby granted all net revenues earned from City parking facilities on and after July 1, 2002, including, but not limited to, revenues from the lease, license or other use of any portion of City parking facilities directly related to the parking of motor vehicles, revenues from parking meters and parking permits collected on or after July 1, 2002, and revenues from

parking fines and penalties levied on or after July 1, 2002, plus any interest thereon. For purposes of this ~~C~~chapter, "net revenues" shall mean revenues less any and all related expenses incurred in generating such revenues, including, but not limited to, contractual and other obligations of the City charged to the Authority, such as the cost of collecting and enforcing parking fines and penalties and an allocable share of expenses of City departments and City personnel providing services to the Authority. Net revenues shall be used by the Authority for any of its corporate purposes pursuant to the ~~chapter~~Act, including, but not limited to, the acquisition, construction, expansion, improvement and equipping of City parking facilities, the operation and maintenance of City parking facilities, the establishment of capital and operating reserves and the payment of debt services on bonds issued by the City or the Authority pursuant to the provisions of the ~~Act~~chapter.

C. The Authority shall assume all existing obligations of the City in connection with City parking facilities as of July 1, 2002, and any obligations which accrue on or after July 1, 2002, which arise from City parking facilities. Nothing contained in this ~~C~~chapter shall be deemed to transfer any existing fee ownership interest of the City in any City parking facility, including the underlying land, air rights above or any easements through City parking facilities, to the Authority, and provided further, that control over parking meters within the City, including, but not limited to, the type, location, number and servicing thereof, shall be subject to the approval of the traffic authority of the City.

~~C.D.~~ The Authority shall have the power and authority to (1) enforce the parking regulations of the City, and (2) receive amounts remitted to the City for violations of parking regulations under Connecticut General Statutes Section 51-56a(b), as amended from time to time.

#### **§ 73A-3. Members; terms, vacancies; residency.**

- A. The Authority shall consist of five members to be appointed by the Mayor and confirmed by the Common Council, not more than three of whom shall be of the same political party.
- B. Those first appointed shall be designated to serve for one, two, three, four and five years respectively and thereafter a member shall be appointed to serve for five years, except that any vacancy shall be filled for the unexpired portion of the term. The Mayor and the Director of Transportation, Mobility and Parking~~the Department of Public Works~~, or their designee, shall serve as ex officio, nonvoting members of the Authority.
- C. No person shall be appointed or reappointed to the Authority unless a resident of the City.

#### **§ 73A-4. Compensation of members.**

The members of the Authority shall serve without compensation but may be reimbursed for necessary expenses.

#### **§ 73A-5. Organization; officers and employees.**

- A. The Authority shall organize and operate in conformity with the provisions of ~~Section 7-203 of the~~ chapterAct and Article VII of the City Charter, each as amended from time to time.

- B. The Authority shall annually elect one of its members as Chair~~man~~ and shall elect one of its members as Vice Chair~~man~~. The Authority may also employ an Executive Director (who shall not be a member of the Authority), who shall serve at the pleasure of the Authority and have such duties and receive such compensation and benefits as shall be fixed by the Authority. The Executive Director shall be professionally qualified to carry out the purposes of the Authority.
- C. The Authority or its Executive Director, as directed by the Authority, shall have the sole right to employ, direct and control such persons as it deems necessary to carry out the purpose of the Authority. The selection, appointment, assignment of duties, compensation, benefits, termination, status and other terms and conditions of employment of its employees shall be under the sole jurisdiction of the Authority or the Executive Director, as authorized by the Authority. ~~The Executive Director and other employees of the Authority shall not be considered employees of the City.~~
- D. The Authority or its Executive Director as directed by the Authority, shall have the sole right to select, direct and control such technical consultants, accountants, parking operators and other contractors as it deems necessary to carry out the purpose of the Authority. The selection, scope of services, compensation, termination and other terms and conditions of such contacts shall be under the sole jurisdiction of the Authority or the Executive Director, as authorized by the Authority.
- E. The Authority or its Executive Director, as directed by the Authority, may enter into agreements with the City to provide the Authority with various services to support the Authority.

**§ 73A-6. Annual budget and reports.**

- A. On or before November 15th of each year, the Executive Director of the Authority shall submit to the Authority a recommended annual budget for the Authority for the next succeeding fiscal year commencing July 1st and ending June 30th. The Authority shall adopt a proposed budget on or before December 15th of each year and submit the proposed budget to the Director of Finance on or before December 31st of each year, or on or before such other dates as departments of the City shall be required to submit budgets. The Authority's budget shall be submitted to the Board of Estimate and Taxation and the Common Council for consideration and adoption in the manner and on the same schedule as departments of the City.
- B. Parking fee increases not included in the approved budget shall be submitted by the Executive Director of the Authority to the Board of Estimate and Taxation and the Common Council for their consideration and approval.
- C. The Authority shall contract for an annual independent audit and shall submit a copy thereof to the Mayor, the Board of Estimate and Taxation and the Common Council on or before the date of submission of the City's audit for the same period.

**§ 73A-7. Meetings.**

- A. The Authority shall annually adopt a schedule of its regular meetings and file that schedule with the City Clerk. The Authority may hold special meetings on the call of the Chair~~man~~ or any two members upon giving notice thereof to all members of the Authority at least 24 hours in advance of such meeting.
  
- B. All meetings of the Authority shall be held in compliance with the applicable provisions of the Connecticut Freedom of Information Act, as amended from time to time.

**§ 73A-8. Term of Authority.**

The Authority shall continue to exist until abolished by subsequent ordinance of the Common Council, which shall not be earlier than the repayment of all obligations of the Authority, including without limitation, the retirement of all outstanding indebtedness of the Authority, or the assumption of such obligations by the City.

**§ 73A-9. When effective.**

This ~~C~~chapter shall take effect upon its adoption by the Common Council.

**Dated at Norwalk, Connecticut this \_\_\_\_\_ day of March 2025.**

**ATTEST:** \_\_\_\_\_  
**Irene Dixon, City Clerk**

**THE HOUR: Please publish once on Friday, April 4, 2025**

APR 4, 2025

THE NORWALK HOUR | THEHOUR.COM

The Norwalk Hour

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**PUBLIC NOTICES**

**Legal Notice of Public Hearing**

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Chapter 73A

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- A. The Authority shall have all of the powers and perform all of the duties that are by law granted to or imposed upon parking authorities under and by virtue of the provisions of the Act with respect to all City parking facilities. For purposes of this Chapter, "City parking facilities" shall mean lots, garages, parking terminals or other structures and accommodations for the parking of motor vehicles off the street or highway and open to public use with or without charge, and off-street and on-street parking meters owned by the City wherever located, including, without limitation, parking facilities and parking meters constructed subsequent to the effective date of this Chapter, additions to or replacements of existing parking facilities and parking meters and parking facilities and parking meters within mixed-use facilities, including the property comprising the South Norwalk, East Norwalk and the Merritt 7 Railroad Stations and their related parking facilities, subject to relevant agreements with the State of Connecticut. The areas included within the definition of this term are all buildings and improvements and all means of ingress and egress used to access and travel about within the railroad station facilities. Excluded from this definition is the property comprising the Rowayton Rail Station which is subject to an agreement with the State of Connecticut, unless otherwise provided for by a separate agreement by and between the City and the Parking Authority.
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- D. The Authority shall have the power and authority to (1) enforce the parking regulations of the City, and (2) receive amounts remitted to the City for violations of parking regulations under Connecticut General Statutes Section 51-56a(b), as amended from time to time.

#### § 73A-3. Members; terms, vacancies; residency.

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- C. No person shall be appointed or reappointed to the Authority unless a resident of the City.

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- B. The Authority shall annually elect one of its members as Chair and shall elect one of its members as Vice Chair. The Authority may also employ an Executive Director (who shall not be a member of the Authority), who shall serve at the pleasure of the Authority and have such duties and receive such compensation and benefits as shall be fixed by the Authority. The Executive Director shall be professionally qualified to carry out the purposes of the Authority.
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amounts allotted to the City for violations of parking regulations under Connecticut General Statutes Section 51-56a(b), as amended from time to time.

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**§ 73A-9. When effective.**

This Chapter shall take effect upon its adoption by the Common Council.

Dated at Norwalk, Connecticut this \_\_\_\_\_ day of March 2025.

ATTEST:

Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, April 4, 2025

## Did you know...

Stroke is a serious medical condition and a leading cause of disability in North America. According to the American Stroke Association, stroke is the fifth leading cause of death in the United States. However, 80 percent of strokes are preventable.

Sometimes called a brain attack, or a cerebrovascular accident, a stroke happens when something blocks blood supply to part of the brain or when a blood vessel in the brain bursts, according to the Centers for Disease Control and Prevention. This can deprive the brain of oxygen and cause brain cells to begin to die within minutes, warns the National Heart, Lung, and Blood Institute.

A stroke is a medical emergency. If someone is suspected of having a stroke, emergency personnel should be called immediately. Every minute counts when a person is suffering a stroke, and medical personnel can begin potentially life-saving treatment on the way to an emergency room.

# Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Chapter 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site, Sections 94-1 through 94-21. Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by April 11, 2025.

## CHAPTER 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site

### ARTICLE I Collection and Disposal

#### § 94-1. Purpose.

Control of the accumulation, collection, storage, removal and disposal of ~~Acceptable Solid Waste~~ ~~waste and Recyclable Waste~~ is a governmental function of the City of Norwalk (the "City") for the protection of the public health, safety and welfare. It is consequently found and declared that:

- A. The City is authorized by law to regulate the disposition of ~~S~~solid ~~W~~waste generated within its boundaries and to license solid waste collectors.
- B. The City is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where ~~S~~solid ~~W~~waste generated within its boundaries shall be disposed.
- C. The enactment of this article is in furtherance of the City of Norwalk's approved Regional Solid Waste Management Plan.

#### § 94-2. Definitions.

In addition to the terms defined in Chapter 91 ~~of the Norwalk City Code~~ and Connecticut General Statutes Section 22a-207, as amended ~~from time to time~~, and unless the context specifically indicates otherwise, the meanings of terms used in this ~~article~~Chapter shall be as follows:

**ACCEPTABLE SOLID WASTE** — Unwanted or discarded materials of the kind normally collected or disposed of or caused to be collected or disposed of by or on behalf of a municipality through private or municipal collection and commercial, governmental and light industrial waste for which a municipality is required by state law to make provisions for the safe and sanitary disposal thereof, ~~but not including in any case.~~ Acceptable Solid Waste does not include Special Handling Waste or Bulky Solid Waste.

**BULKY SOLID WASTE** — Household waste ~~comprised consisting of~~ ~~Furniture~~ ~~furniture~~ (such as couches, chairs, bookcases, etc.), ~~m~~ mattresses, ~~Rolled~~ rugs/carpets (no more than four feet wide), ~~Metal~~ metal items, ~~Metal~~ metal appliances— ~~(such as~~ washing machines, dryers, dishwashers, etc.) ~~(CANNOT contain freon)~~, ~~and~~ large plastic items— ~~(such as~~ children's toys, outdoor chairs, etc.) ~~, and/or such other items as the Director shall designate from time to time. excluding land-clearing debris and waste from demolition or construction activities.~~ Bulky Solid Waste does not include Special Handling Waste or Yard Waste.

**COMMERCIAL WASTE** — ~~Waste generated at any establishment defined as commercial by Planning and Zoning and waste generated at any residential building with more than 4 units.~~

**DIRECTOR** — The Chief of Operations and Public Works of the City, or their designee.

FOOD WASTE – Organic residues generated by the handling, storage, sale, preparation, cooking, and serving of foods, including fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bakery items, cheese, eggshells, and coffee grounds.

HAZARDOUS WASTE — Pathogenic ~~logieal~~, biological, cesspool or other human wastes, human and animal remains, radioactive, toxic and other hazardous wastes which, according to federal, state or local rules or regulations from time to time in effect, require special handling in their collection, treatment or disposal, including those regulated under 42 U.S.C. §§ 6921, through 6925, as amended from time to time, and regulations thereunder adopted by the United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, 90 Stat 2806, 42 U.S.C. § 6901, as amended from time to time, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and refuse of similar nature.

RECYCLABLE WASTE – Waste consisting of (1) items designated by the Connecticut Commissioner of Energy and Environmental Protection as required to be recycled, (2) items designated by the Director for mandatory recycling pursuant to this Chapter, and (3) Yard Waste.~~The City of Norwalk follows the regulations and definitions set in The Mandatory Recycling Act, as amended.~~

RESIDENTIAL ~~PREMISES DWELLING~~ – Any residential building with 4 or less dwelling units.

SPECIAL HANDLING WASTE —

- A. Hazardous Waste.
- B. Dirt, concrete and other non-~~burnable~~ combustible construction material and demolition debris, such as, but not limited to, sheetrock, ceramic tile, asphalt shingles).
- C. Large items of machinery and equipment, such as motor vehicles and major components thereof, agricultural equipment, trailers and marine vessels and any other item of waste exceeding six feet in any one of its dimensions or being in whole or in part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight inches could be contained within such solid mass portion, including, in the context of deliveries to ~~the~~ a disposal facility, Bulky Solid Waste. [Amended 2-24-2009]
- D. Explosives, freon, batteries, ordinance materials, oil, sludges, highly flammable substances, hazardous chemicals, tires and other state regulated waste materials, the acceptance of which, in the judgment of the Director, reasonably exercised, is likely to cause damage to or adversely affect the operation of the disposal facility, constitute a threat to health or safety or violate or cause the violation of any applicable federal, state or local law, regulation or judicial or administrative decision or order. [Amended 2-24-2009]

SOLID WASTE – All forms of waste generated by a person that may be regulated by the City, including to the extent so permitted, Acceptable Solid Waste, Bulky Solid Waste, Food Waste, Recyclable Waste, and Special Handling Waste.

~~SOURCE SEPARATED ORGANICS— Food waste: organic residues generated by the handling, storage, sale, preparation, cooking, and serving of foods, including fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bakery items, cheese, eggshells, and coffee grounds.~~

YARD WASTE – ~~includes Organic debris generated from the maintenance of lawns, gardens and outdoor green spaces, including without limitation,~~ leaves, brush, tree trimmings, branches ~~(no longer than 4' and~~

~~no wider than 3" in diameter~~), grass clippings, pine needles, flowers, plants, with the exception of soil, dirt ~~and~~ rocks.

YARD WASTE SITE – The location where Yard Waste generated within the boundaries of the City of Norwalk by residential, business, commercial or other establishments may be disposed.

§ 94-3. ~~Source separation of material~~Recyclable Waste.

- A. The Director shall establish the necessary rules and regulations to comply with the regulations issued pursuant to Public Act No. 87-544, an Act Mandating Recycling in Municipalities and Concerning Source Reduction Planning, as amended ~~and/or supplemented~~from time to time. In addition to any materials required to be recycled under such Act, the Director may require any of ~~the following items may be required~~ to be recycled: corrugated cardboard, glass food containers, metal food containers, newspapers, office paper, scrap metal, storage batteries, waste oil, Yard Waste, high-density polyethylene bottles or jars of any size or shape used to package food, household laundry products or crankcase oil (HDPE plastic containers), polyethylene terephthalate containers of any size or shape used to package beverages (PET plastic food containers) (plastics No. 1 ~~through and~~ No. 7) ~~2-only through June 30, 2009; plastic No. 1 through No. 7, thereafter~~, dry cell batteries and scrap tires. **[Amended 2-24-2009]**
- B. All ~~items designated by the Director for mandatory recycling~~Recyclable Waste shall be separated and kept apart from ~~other~~ Acceptable Solid Waste by the ~~property owner~~generator or ~~his~~their agent, packaged in the prescribed manner, placed at the curb in accordance with the schedule determined by the Director and collected by the City or by any contractor employed by the City or by the property owner's private collector. Recyclable Waste placed for City collection must be in City provided containers. Any ~~solid~~ waste left for collection which contains any items designated by the Director ~~for mandatory recycling~~as Recyclable Waste shall ~~may~~ be refused by any collector within the City. Such material ~~shall~~may also be refused at the ~~transfer~~ Transfer Station.
- C. All Yard Waste ~~generated by residents of the City~~ can be ~~hauled~~disposed of at the Yard Waste ~~Site~~ or set out for collection during the times set by the ~~Director~~Chief within the eligible taxing districts. All tree trimmings and brush shall be tied in bundles of not over four feet in length, capable of being handled by one person. **[Amended 2-24-2009]** All Yard Waste set out for collection ~~should~~shall be placed in an open top container no larger than 65 gallons or in paper bags, excluding brush and branches. All bags or containers set out for collection should be placed at the ~~curb~~curbline at the time designated by the Director, but no later than 6:00 a.m. on days on which collections will be made; provided, however, that such bags and containers may be so placed for collection on the evening preceding the date on which collections will be made, but no earlier than 6:00 p.m. All containers shall be removed from the curbline within 24 hours after collection.
- D. No person, ~~firm or corporation other than the generator thereof or their agent, other than the owner, lessee or any occupant of a Residential Premises or commercial establishment or any employee of the City or any contractor employed by the City for the removal of items to be recycled~~ shall pick up, remove, destroy or interfere with ~~the mandatory recyclable items~~Recyclable Waste or any part thereof.

§ 94-4. **Solid waste disposal facility.**

- A. Pursuant to Connecticut General Statutes, Section 22a-220a, the Common Council hereby ~~issues notice of its intent to designate and, upon compliance with the provisions of state law, shall, by resolution,~~ designates the Norwalk Transfer Station as the area location where Acceptable Solid Waste, ~~and~~ Bulky Solid Waste and Recyclable Waste (other than Yard Waste) generated within the boundaries of

the City of Norwalk by residential, business, commercial or other establishments may be disposed.

~~B. In accordance with agreements made between the City and any terminal disposal system~~ If required by the Director, Acceptable Solid Waste, Bulky Solid Waste and ~~items designated for mandatory recycling shall~~ Recyclable Waste shall be separately delivered to an authorized solid waste disposal facility.

~~B.C.~~ Acceptance of a City license by a private collector acknowledges the right of the City to inspect each load delivered to the Norwalk transfer station. [Amended 2-24-2009]

§ 94-5. Acceptable Solid Wwaste collection requirements.

- A. The owner or lessee of each Residential ~~Premises Dwelling~~, where Acceptable Solid Waste is created or generated shall provide, at a suitable place upon such premises and not on the street or sidewalk, sufficient receptacles for receiving and holding such ~~solid~~ waste during the intervals between collections. Acceptable Ssolid Waste eligible for City collection shall only be stored in City provided 65-gallon containers; ~~Acceptable Solid Waste garbage~~ shall not be placed out for collection in plastic bags or outside of the container. Each ~~container receptacle~~ shall be placed out for collection with the lid closed and shall not weigh more than 75 pounds when full. Containers shall be maintained in good condition. No loose material will be collected by the City.
- B. All ~~containers used for the storage of Acceptable Solid waste~~ Acceptable Solid Waste, Food Waste or Recyclable Waste, Source Separated Organics or Yard Waste containers shall be maintained by the owners thereof and promptly replaced when no longer fit for use. Containers not conforming to the requirements set forth by this ~~article~~ Chapter and deemed a sanitary or accident hazard, as determined by the Director, may be confiscated by the City and disposed of, without compensation to the owner.
- C. The property owner, lessee or the person served shall ~~have place~~ the City-provided Acceptable Solid Waste ~~City provided~~ containers ~~placed~~ at the curblin as is practicable at the time designated by the Director, but no later than 6:00 a.m. on days on which collections will be made; provided, however, that ~~Acceptable Solid waste, such Recyclable Waste, Source Separated Organics or Yard Waste containers or receptacles~~ may be so placed for collection on the evening preceding the date on which collections will be made, but no earlier than 6:00 p.m. ~~The All containers~~ Property Owner or the persons' City provided container shall be removed from the curblin within 24 hours after collection.
- D. The owner of each ~~Commercial commercial~~ premise, where Ssolid Wwaste is created or generated shall provide, at a suitable place upon such premises and not on the street or sidewalk, sufficient receptacles for receiving and holding such Ssolid Wwaste during the intervals between collections. Solid waste cannot be stored on a commercial premises for more than 7 days. Acceptable Solid Waste, Bulky Solid Waste and Recyclable Waste Commercial Waste generated in the City can be hailed disposed of at the City's Norwalk T transfer Sstation or collected by a licensed hauler.

§ 94-6. Unlawful deposit.

A. Deposit in public places.

- (1) No person shall place any Ssolid Wwaste in any street, alley or other public place or upon any private property, whether owned by such person or not, within the City except in proper containers or otherwise properly prepared for collection, unless with express approval granted by the Director. No person shall throw or deposit any Ssolid Wwaste in any stream, sewer or other body of water.

- (2) Any uncontainerized accumulation of Ssolid Wwaste on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any accumulation of solid waste within seven days after written notice by registered mail to remove the same shall be deemed a violation of this artieleChapter.
- B. No person shall cast, place, sweep or deposit anywhere within the City any Ssolid Wwaste in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley or other public place or into any occupied premises.
- C. It shall be unlawful for any person, ~~firm or corporation~~ to place ~~Hazardous Wastes Special Handling Waste~~ or similarly dangerous substances, as determined by the Director, into any container used for the storage and/or disposal of Acceptable Solid waste Acceptable Solid Waste, Food Waste or Reeyclable Waste, Source Separated Organics or Yard Waste container Recyclable Waste, or to transport any such substance to the Norwalk Transfer Station, Yard Waste Site or -solid waste disposal facility designated by the Director pursuant to this Chapter.
- D. No person shall deposit any Ssolid Wwaste in any City receptacle in a City park which has been brought from any area outside said City park. This provision shall not prohibit disposal of garbage, rubbish or waste created by activities in said park, such as by the consumption of food.

#### § 94-7. Collection and disposal within the Fourth Taxing District.

- A. The Director is authorized and directed to have removed or cause to be removed all Acceptable Ssolid Wwaste, when properly prepared as provided in this artieleChapter, from all areas within the Fourth Taxing District of the City. Such collections shall be a governmental function under the direction of the Director and shall be financed by appropriations from residents of the Fourth Taxing District ~~revenues~~.
- B. Within the Fourth Taxing District, collection schedules and methods of collection shall be determined by the Director, ~~provided further~~ that collections shall be made on scheduled days in each locality or street and that the ~~citizens~~ residents of the Fourth Taxing District shall be informed of the times of collection or any changes therein by means of proper notice in the local newspaper or by such other means as may be expedient.

~~C.~~ The City shall not tax charge any qualified residential condominium or residential cooperative unit, as defined by Chapter 828 of the Connecticut General Statutes, or single family residence property located on a private road within the Fourth Taxing District, for that portion of the property tax attributable to garbage collection, provided that:

- (+)C. The amount of the tax exemption for each qualified unit or residence shall be calculated as follows: that portion of the annual mil rate for garbage collection multiplied by the assessed value of the unit or residence.

#### § 94-8. Collection and transportation license required.

- A. The Director shall be the licensing and registration authority for all Ssolid Wwaste collectors, vehicles and ~~Acceptable Solid waste, Reeyclable Waste, Source Separated Organics or Yard Waste~~ containers operating within the City. It shall be unlawful for any person to collect or remove Ssolid Wwaste in the City or to transport the same upon or through any street or public place of the City unless such person (1) is an employee or agent of the City assigned to such work, (2) has been granted a license by the Director to do so, (3) is the employee of a person who has been so licensed or (4) is the actual producer of such ~~Acceptable Solid waste~~ Solid Waste, Reeyclable Waste, Source Separated Organics or Yard Waste within the City or his employee their agent then and there engaged in transporting the same from the premises where produced to any area where public disposal is permitted.

- B. It shall be unlawful for any employee of the actual producer of any ~~S~~solid ~~W~~waste to collect, remove or transport such waste for more than one actual producer thereof or for such employee or any producer to combine or commingle within the City the waste of more than one producer or for any person to act as the employee of more than one producer for the purpose of collecting, removing or transporting such waste upon or through any street or public place of the City unless such person has been granted a license by the Director.
- C. Each licensed ~~S~~solid ~~W~~waste collector shall obtain a separate registration for each vehicle and/or ~~Acceptable Solid waste, Recyclable Waste, Source Separated Organics or Yard Waste~~ container ~~he they~~ operates within the City. When a vehicle is employed to transport more than one ~~Acceptable Solid waste, Recyclable Waste, Source Separated Organics or Yard Waste~~ container, each container to be transported as well as the vehicle shall require a separate registration. Registrations shall not be transferable from vehicle to vehicle nor container to container; provided, however, that the Director may allow such temporary transfer of registrations in hardship situations, such as a temporary breakdown of an individually licensed vehicle.

**§ 94-9. Requirements for containers and vehicles.**

Any person ~~permitted~~licensed by this ~~article~~Chapter to collect, remove or transport ~~S~~solid ~~W~~waste over the streets of the City shall use containers or vehicles provided with tight covers and so constructed and operated as to prevent offensive odors escaping therefrom and ~~Acceptable Solid waste, Recyclable Waste, Source Separated Organics or Yard Waste~~ from being blown, dropped, spilled or leaked therefrom.

**§ 94-10. License, registration and disposal fees.**

- A. The Director shall establish license, registration and disposal fees for: [Amended 2-24-2009]
  - (1) The privilege of engaging in the business of collecting or removing ~~S~~solid ~~W~~wastes in the City or transporting the same through the streets or public places of the City; and
  - (2) Disposing of or depositing the same at the City's ~~solid waste~~ disposal facilities.
- B. Prior to issuance of any license and the collection of any license, registration or use fees, the Director shall determine that the proposed licensed operation:
  - (1) Will not create a nuisance;:-
  - (2) Will not create or aggravate a traffic or health hazard;:-
  - (3) Will result in efficient, prompt and clean collection service; ~~and~~:-
  - (4) Will meet all state health and safety standards as to construction of vehicles.
  - ~~(5) Will operate within the limits of the City Noise Ordinance.~~
- C. The license, registration and disposal fees for each of the types of ~~S~~solid ~~W~~waste shall be established in accordance with the provisions of § 90-4, Approval of rates and fees.
- D. The Director shall establish such rules and regulations as are appropriate for the administration of the provisions of this section.

**§ 94-11. License and registration application and renewals.**

- A. Applications for licenses, renewals of licenses and vehicle and/or ~~Aacceptable Solid waste, Recyclable Waste, Source Separated Organics or Yard Waste~~ container registration under this ~~artiele~~Chapter shall be submitted in writing to the Director. Each application shall contain the following information:
- (1) The name and address of the applicant. If the applicant is a proprietorship, firm or partnership, the names of all owners or partners shall be listed; if the applicant is a corporation or limited liability company, the names and title of each of the officers shall be listed;:-
  - (2) The purpose for which the license is sought;:-
  - (3) The area within which the applicant wishes to collect or transport ~~S~~solid ~~W~~waste; and:-
  - (4) The number, kind and capacity of the vehicles and other equipment to be used for such purposes, together with their license plate numbers.
- B. Each application shall be accompanied by the deposit of the license and registration fee required by the provisions of this ~~artiele~~Chapter. If the application complies with the provisions of this ~~artiele~~Chapter, the Director shall specify the term for which such license is granted, not to exceed one year, and, as a condition of granting the requested license and/or registration, may impose such other conditions as ~~he~~they may deem to be in the best interests of the public health, safety and welfare. ~~If a~~The license fee is not ~~issued, the fee shall be returned to the applicant~~refundable.
- C. No application for a license by a private collector shall be accepted unless accompanied by a statement acknowledging and authorizing City inspection of any load transported and/or delivered under this ~~artiele~~Chapter. [Amended 2-24-2009]

#### § 94-12. Authority to limit number of licenses.

In order to preserve the public health, safety and welfare, the Director shall have the authority to limit the number of licenses for the collection and/or transportation of ~~Aacceptable Solid waste~~Solid Waste, Recyclable Waste, Source Separated Organics or Yard Waste ~~which that~~ may be issued under this ~~artiele~~Chapter. Notice of such limitation shall be posted in the same manner as rules and regulations issued by the Director under this ~~artiele~~Chapter.

#### § 94-13. Vehicle and container identification; license information.

- A. Every license granted by the Director under this ~~artiele~~Chapter shall cover the following matters:
- (1) The name and address of the person to whom the license is issued;:-
  - (2) The area within which the person to whom the license is issued may render collection services;:-
  - (3) The nature of the collection services which are authorized;:-
  - (4) The term for which the license is granted (not to exceed one year);:-
  - (5) A description, including the license plate numbers, of each vehicle and container to be registered under the license;:- and
  - (6) Such other conditions as the Director may establish.
- B. The Director shall issue to each licensed person appropriate documentation ~~one sticker~~ for each registered vehicle and/or ~~Aacceptable Solid waste, Recyclable Waste, Source Separated Organics or Yard Waste~~ container covered by the application, each of which vehicles and/or ~~refuse~~ containers shall

thereafter display such ~~documentation sticker~~ as long as the license or registration is in force.

#### § 94-14. Transferability of license.

No license granted by the Director under this ~~article~~Chapter or any interest therein shall be given, sold, assigned, mortgaged or otherwise transferred without the prior written consent of the Director.

#### § 94-15. Revocation of license.

A. Any license granted by the Director under this ~~article~~Chapter may be revoked by the Director if the Director ~~finds and~~ determines that the licensee has:

(1) failed to comply with any of the terms of such license or of this ~~article~~Chapter or ~~the~~ rules and regulations duly promulgated hereunder;

~~(2) -or failed~~ to render satisfactory collection services; or

~~(2)(3)~~ Violated any provision of the City Code or the rules and regulations promulgated thereunder, including without limitation, the City Noise Ordinance.

A.B. Revocations and suspensions shall become effective only after a public hearing. The Director shall send a written notice of proposed suspension or revocation to said ~~collector~~licensee, stating the reasons for such action. The Public Works Committee of the Common Council, or its successor, shall, within 15 days of the date of such written notice, hear and decide the matter. Such hearing shall be held in public session; provided, however, that the hearing may be held in executive session at the request of the ~~collector~~licensee. The ~~collector~~licensee, the Director and other persons invited by either of them or by the Committee may appear and present such testimony and evidence as they may wish. The Committee may revoke the license, suspend the license for a time certain, decline to revoke or suspend the license or make such other determination as may befit, in its sole discretion, deems appropriate in the circumstances.

B.C. The decision of the Public Works Committee shall be final and binding upon the ~~collector~~licensee. No application for a license ~~revoked~~ under this ~~article~~Chapter shall be accepted for a period of one year from the date of the Committee's action.

C.D. Notwithstanding anything to the contrary herein, the Director shall have power to refuse permission to a ~~collector~~licensee to use the Norwalk ~~T~~transfer ~~S~~tation when, in ~~their~~his opinion, such ~~collector~~licensee has violated this ~~article~~Chapter or any applicable rule or regulation. [Amended 2-24-2009]

#### § 94-16. Rules and regulations.

The Director shall have the authority to make such other reasonable rules and regulations concerning collection, transportation and disposal of ~~Solid Waste Acceptable Solid waste, Recyclable Waste, Source Separated Organics or Yard Waste~~ as ~~he they~~ shall deem necessary, which shall take effect no less than three days after posting at the Department of Operations and Public Works' offices and at all designated solid waste disposal facilities.

#### § 94-17. Violations and penalties. [Amended 2-24-2009]

Any person violating any of the provisions of this ~~article~~Chapter shall be deemed guilty of a violation and, upon ~~conviction-determination~~ thereof, shall be fined in an amount established in accordance with the provisions of § 90-4, Approval of rates and fees. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

ARTICLE II  
Use of Transfer Station and Yard Waste Site  
[Added 4-14-2020]

**§ 94-18. Disposal pass for residents and/or real property owners who pay Norwalk vehicle tax.**

Except as provided below, aAll non-commercial vehicles of Norwalk residents and/or real property owners for which a vehicle tax is paid to Norwalk shall be entitled to dispose of up to a total of one ton free-per-year of combined Acceptable Solid Waste, Yard-Recyclable Waste, and Bulky Solid Waste combined-without charge with a valid disposal pass to the Norwalk Ttransfer Sstation and the Yard Waste Ssite. In order to maintain the validity of this pass, Norwalk residents and/or real property owners shall remain current on their vehicle tax. If Norwalk residents and/or real property owners are more than 45 days delinquent on their vehicle tax, then this pass shall become invalid until the vehicle tax, and all applicable fees, interest and penalties, have been satisfied. The disposal pass must be displayed on the driver's side dashboard during use of both facilities.

**§ 94-19. Admission for residents and/or real property owners who do not pay Norwalk vehicle tax.**

Except as provided below, aAll non-commercial vehicles of Norwalk residents and/or real property owners for which a vehicle tax is paid to a city other than Norwalk shall be entitled to purchase a disposal pass to the Norwalk Ttransfer Sstation and the Yard Waste Ssite for a sum to be set pursuant to the Department of Operations and Public Works' fee schedule.

**§ 94-20. Additional permits.**

- A. An additional disposal permit, issued at the Norwalk transfer station by the Department of Operations and Public Works, is required for all noneommercial-pickup trucks, vans and/or vehicles with trailers. Residents and/or real property owners with a noneommercial-pickup truck, van and/or vehicle with trailer will be required to show a valid disposal pass, as provided in §§ 94-18 and 94-19, in order to apply for the additional disposal permit.
- B. Commercial permits are required for all commercial vehicles. These permits are issued by the Department of Operations and Public Works. The fee schedule for commercial permits is set pursuant to the Department of Operations and Public Works' fee schedule.

**§ 94-21. Admission for nonresidents, non-permit holders and/or non-real-property owners.**

All vehielesExcept as may be otherwise determined by the Director, all vehicles of non-residents, non-permit holders and/or non-real-property owners shall be entitled to use the Norwalk Ttransfer Sstation and Yard Waste Ssite for a sum to be set pursuant to the Department of Operations and Public Works' fee schedule.

Dated at Norwalk, Connecticut this \_\_\_\_\_ day of March 2025.

ATTEST: \_\_\_\_\_  
Irene Dixon, City Clerk

**THE HOUR: Please publish once on Friday, April 4, 2025**

**Legal Notice of Public Hearing**

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. by way of videoconference/teleconference. The purpose of discussing and voting on Chapter 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste. Sections 94-1 through 94-21. Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by April 11, 2025.

**CHAPTER 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site**

**ARTICLE I  
Collection and Disposal**

**§ 94-1. Purpose.**

Control of the accumulation, collection, storage, removal and disposal of Solid Waste is a governmental function of the City of Norwalk (the "City") for the protection of the public health, safety and welfare. It is consequently found and declared that:

- A. The City is authorized by law to regulate the disposition of Solid Waste generated within its boundaries and to license solid waste collectors.
- B. The City is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where Solid Waste generated within its boundaries shall be disposed.
- C. The enactment of this article is in furtherance of the City of Norwalk's approved Regional Solid Waste Management Plan.

**§ 94-2. Definitions.**

In addition to the terms defined in Chapter 91 of the Norwalk City Code and Connecticut General Statutes Section 22a-207, as amended from time to time, and unless the context specifically indicates otherwise, the meanings of terms used in this Chapter shall be as follows:

**ACCEPTABLE SOLID WASTE** — Unwanted or discarded materials of the kind normally collected or disposed of or caused to be collected or disposed of by or on behalf of a municipality through private or municipal collection and commercial, governmental and light industrial waste for which a municipality is required by state law to make provisions for the safe and sanitary disposal thereof. Acceptable Solid Waste does not include Special Handling Waste or Bulky Solid Waste.

**BULKY SOLID WASTE** — Household waste consisting of furniture (such as couches, chairs, bookcases, etc.), mattresses, rugs/carpets (no more than four feet wide), metal items, appliances (such as washing machines, dryers, dishwashers, etc.), large plastic items (such as children's toys, outdoor chairs, etc.), and/or such other items as the Director shall designate from time to time. Bulky Solid Waste does not include Special Handling Waste or Yard Waste.

**DIRECTOR** — The Chief of Operations and Public Works of the City, or their designee.

**FOOD WASTE** — Organic residues generated by the handling, storage, sale, preparation, cooking, and serving of foods, including fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bakery items, cheese, eggshells, and coffee grounds.

**HAZARDOUS WASTE** — Pathogenic, biological, cesspool or other human wastes, human and animal remains, radioactive, toxic and other hazardous wastes which, according to federal, state or local rules or regulations from time to time in effect, require special handling in their collection, treatment or disposal, including those regulated under 42 U.S.C. §§ 6921, through 6925, as amended from time to time, and regulations thereunder adopted by the United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, 90 Stat 2806, 42 U.S.C. § 6901, as amended from time to time, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and refuse of similar nature.

**RECYCLABLE WASTE** — Waste consisting of (1) items designated by the Connecticut Commissioner of Energy and Environmental Protection as required to be recycled, (2) items designated by the Director for mandatory recycling pursuant to this Chapter, and (3) Yard Waste.

**RESIDENTIAL DWELLING** — Any residential building with 4 or less dwelling units.

**SPECIAL HANDLING WASTE** —

- A. Hazardous Waste.
- B. Dirt, concrete and other non-combustible construction material and demolition debris, such as, but not limited to, sheetrock, ceramic tile, asphalt shingles).
- C. Large items of machinery and equipment, such as motor vehicles and major components thereof, agricultural equipment, trailers and marine vessels and any other item of waste exceeding six feet in any one of its dimensions or having in whole or in part of a solid mass the cubic mass portion of which has dimensions such that a sphere with a

**§ 94-8. Collection and transportation license required.**

A. The Director shall be the licensing and registration authority for all Solid Waste collectors, vehicles and containers operating within the City. It shall be unlawful for any person to collect or remove Solid Waste in the City or to transport the same upon or through any street or public place of the City unless such person (1) is an employee or agent of the City assigned to such work, (2) has been granted a license by the Director to do so, (3) is the employee of a person who has been so licensed or (4) is the actual producer of such Solid Waste within the City or their agent then and there engaged in transporting the same from the premises where produced to any area where public disposal is permitted.

B. It shall be unlawful for any employee of the actual producer of any Solid Waste to collect, remove or transport such waste for more than one actual producer thereof or for such employee or any producer to combine or commingle within the City the waste of more than one producer or for any person to act as the employee of more than one producer for the purpose of collecting, removing or transporting such waste upon or through any street or public place of the City unless such person has been granted a license by the Director.

C. Each licensed Solid Waste collector shall obtain a separate registration for each vehicle and/or container they operate within the City. When a vehicle is employed to transport more than one container, each container to be transported as well as the vehicle shall require a separate registration. Registrations shall not be transferable from vehicle to vehicle nor container to container; provided, however, that the Director may allow such temporary transfer of registrations in hardship situations, such as a temporary breakdown of an individually licensed vehicle.

**§ 94-9. Requirements for containers and vehicles.**

Any person licensed by this Chapter to collect, remove or transport Solid Waste over the streets of the City shall use containers or vehicles provided with tight covers and so constructed and operated as to prevent offensive odors escaping therefrom and Solid Waste from being blown, dropped, spilled or leaked therefrom.

**§ 94-10. License, registration and disposal fees.**

A. The Director shall establish license, registration and disposal fees for: **[Amended 2-24-2009]**

- (1) The privilege of engaging in the business of collecting or removing Solid Waste in the City or transporting the same through the streets or public places of the City; and
- (2) Disposing of or depositing the same at the City's disposal facilities.

B. Prior to issuance of any license and the collection of any license, registration or use fees, the Director shall determine that the proposed licensed operation:

- (1) Will not create a nuisance;
- (2) Will not create or aggravate a traffic or health hazard;
- (3) Will result in efficient, prompt and clean collection service; and
- (4) Will meet all state health and safety standards as to construction of vehicles.

C. The license, registration and disposal fees for each of the types of Solid Waste shall be established in accordance with the provisions of § 90-4, Approval of rates and fees.

D. The Director shall establish such rules and regulations as are appropriate for the administration of the provisions of this section.

**§ 94-11. License and registration application and renewals.**

A. Applications for licenses, renewals of licenses and vehicle and/or container registration under this Chapter shall be submitted in writing to the Director. Each application shall contain the following information:

- (1) The name and address of the applicant. If the applicant is a proprietorship, firm or partnership, the names of all owners or partners shall be listed; if the applicant is a corporation or limited liability company, the names and title of each of the officers shall be listed;
- (2) The purpose for which the license is sought;
- (3) The area within which the applicant wishes to collect or transport Solid Waste; and
- (4) The number, kind and capacity of the vehicles and other equipment to be used for such purposes, together with their license plate numbers.

**SPECIAL HANDLING WASTE** —

- A. Hazardous Waste.
- B. Dirt, concrete and other non-combustible construction material and demolition debris, such as, but not limited to, sheetrock, ceramic tile, asphalt shingles).
- C. Large items of machinery and equipment, such as motor vehicles and major components thereof, agricultural equipment, trailers and marine vessels and any other item of waste exceeding six feet in any one of its dimensions or being in whole or in part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight inches could be contained within such solid mass portion, including, in the context of deliveries to a disposal facility, Bulky Solid Waste. [Amended 2-24-2009]
- D. Explosives, freon, batteries, ordinance materials, oil, sludges, highly flammable substances, hazardous chemicals, tires and other state regulated waste materials, the acceptance of which, in the judgment of the Director, reasonably exercised, is likely to cause damage to or adversely affect the operation of the disposal facility, constitute a threat to health or safety or violate or cause the violation of any applicable federal, state or local law, regulation or judicial or administrative decision or order. [Amended 2-24-2009]

**SOLID WASTE** — All forms of waste generated by a person that may be regulated by the City, including to the extent so permitted, Acceptable Solid Waste, Bulky Solid Waste, Food Waste, Recyclable Waste, and Special Handling Waste.

**YARD WASTE** — Organic debris generated from the maintenance of lawns, gardens and outdoor green spaces, including without limitation, leaves, brush, tree trimmings, branches, grass clippings, pine needles, flowers, plants, with the exception of soil, dirt and rocks.

**YARD WASTE SITE** — The location where Yard Waste generated within the boundaries of the City of Norwalk by residential, business, commercial or other establishments may be disposed.

**§ 94-3. Recyclable Waste.**

- A. The Director shall establish the necessary rules and regulations to comply with the regulations issued pursuant to Public Act No. 87-344, an Act Mandating Recycling in Municipalities and Concerning Source Reduction Planning, as amended from time to time. In addition to any materials required to be recycled under such Act, the Director may require any of the following items to be recycled: corrugated cardboard, glass food containers, metal food containers, newspapers, office paper, scrap metal, storage batteries, waste oil, yard waste, high-density polyethylene bottles or jars of any size or shape used to package food, household laundry products or crankcase oil (HDPE plastic containers), polyethylene terephthalate containers of any size or shape used to package beverages (PET plastic food containers) (plastics No. 1 through No. 7), dry cell batteries and scrap tires. [Amended 2-24-2009]
- B. All Recyclable Waste shall be separated and kept apart from Acceptable Solid Waste by the generator or their agent, packaged in the prescribed manner, placed at the curb in accordance with the schedule determined by the Director and collected by the City or by any contractor employed by the City or by the property owner's private collector. Recyclable Waste placed for City collection must be in City provided containers. Any waste left for collection which contains any items designated by the Director as Recyclable Waste may be refused by any collector within the City. Such material may also be refused at the Transfer Station.

- C. All Yard Waste generated by residents of the City can be disposed of at the Yard Waste Site or set out for collection during the times set by the Director within the eligible taxing districts. All tree trimmings and brush shall be tied in bundles or not over four feet in length, capable of being handled by one person. [Amended 2-24-2009] All Yard Waste set out for collection shall be placed in an open top container no larger than 65 gallons or in paper bags, excluding brush and branches. All bags or containers set out for collection should be placed at the curbline at the time designated by the Director, but no later than 6:00 a.m. on days on which collections will be made; provided, however, that such bags and containers may be so placed for collection on the evening preceding the date on which collections will be made, but no earlier than 6:00 p.m. All containers shall be removed from the curbline within 24 hours after collection.

- D. No person, other than the generator thereof or their agent, shall pick up, remove, destroy or interfere with Recyclable Waste or any part thereof.

**§ 94-4. Solid waste disposal facility.**

- A. Pursuant to Connecticut General Statutes, Section 22a-220a, the Common Council hereby designates the Norwalk Transfer Station as the location where Acceptable Solid Waste, Bulky Solid Waste and Recyclable Waste (other than Yard Waste) generated within the boundaries of the City of Norwalk by residential, business, commercial or other establishments may be disposed.
- B. If required by the Director, Acceptable Solid Waste, Bulky Solid Waste and Recyclable Waste shall be separately delivered to an authorized solid waste disposal facility.
- C. Acceptance of a City license by a private collector acknowledges the right of the City to inspect each load delivered to the Norwalk transfer station. [Amended 2-24-2009]

**§ 94-5. Acceptable Solid Waste collection.**

- A. The owner or lessee of each Residential Dwelling where Acceptable Solid Waste is created or generated shall provide, at a suitable place upon such premises and not on the street or sidewalk, sufficient receptacles for receiving and holding such waste during the intervals between collections. Acceptable Solid Waste eligible for City collection shall only be stored in City provided containers. Acceptable Solid Waste shall not be placed out for collection in plastic bags or outside of the container. Each container shall be placed out for collection with the lid closed and shall not weigh more than 75 pounds when full. Containers shall be maintained in good condition. No loose material will be collected by the City.

- (1) The name and address of the applicant, if the applicant is a proprietorship, firm or partnership, the names of all owners or partners shall be listed; if the applicant is a corporation or limited liability company, the names and title of each of the officers shall be listed;

- (2) The purpose for which the license is sought;

- (3) The area within which the applicant wishes to collect or transport Solid Waste; and

- (4) The number, kind and capacity of the vehicles and other equipment to be used for such purposes, together with their license plate numbers.

B. Each application shall be accompanied by the deposit of the license and registration fee required by the provisions of this Chapter, if the application complies with the provisions of this Chapter; the Director shall specify the term for which such license is granted, not to exceed one year, and, as a condition of granting the requested license and/or registration, may impose such other conditions as they may deem to be in the best interests of the public health, safety and welfare. The license fee is not refundable.

C. No application for a license by a private collector shall be accepted unless accompanied by a statement acknowledging and authorizing City inspection of any load transported and/or delivered under this Chapter. [Amended 2-24-2009]

**§ 94-12. Authority to limit number of licenses.**

In order to preserve the public health, safety and welfare, the Director shall have the authority to limit the number of licenses for the collection and/or transportation of Solid Waste that may be issued under this Chapter. Notice of such limitation shall be posted in the same manner as rules and regulations issued by the Director under this Chapter.

**§ 94-13. Vehicle and container identification; license information.**

A. Every license granted by the Director under this Chapter shall cover the following matters:

- (1) The name and address of the person to whom the license is issued;
- (2) The area within which the person to whom the license is issued may render collection services;
- (3) The nature of the collection services which are authorized;
- (4) The term for which the license is granted (not to exceed one year);
- (5) A description, including the license plate numbers, of each vehicle and container to be registered under the license; and
- (6) Such other conditions as the Director may establish.

B. The Director shall issue to each licensed person appropriate documentation for each registered vehicle and/or container covered by the application, each of which vehicles and/or containers shall thereafter display such documentation as long as the license or registration is in force.

**§ 94-14. Transferability of license.**

No license granted by the Director under this Chapter or any interest therein shall be given, sold, assigned, mortgaged or otherwise transferred without the prior written consent of the Director.

**§ 94-15. Revocation of license.**

A. Any license granted by the Director under this Chapter may be revoked by the Director if the Director determines that the licensee has:

- (1) failed to comply with any of the terms of such license or of this Chapter or the rules and regulations duly promulgated hereunder;
- (2) failed to render satisfactory collection services; or
- (3) Violated any provision of the City Code or the rules and regulations promulgated thereunder, including without limitation, the City Noise Ordinance.

B. Revocations and suspensions shall become effective only after a public hearing. The Director shall send a written notice of proposed suspension or revocation to said licensee, stating the reasons for such action. The Public Works Committee of the Common Council, or its successor, shall, within 15 days of the date of such written notice, hear and decide the matter. Such hearing shall be held in public session; provided, however, that the hearing may be held in executive session at the request of the licensee. The licensee, the Director and other persons invited by either of them or by the Committee may appear and present such testimony and evidence as they may wish. The Committee may revoke the license, suspend the license for a time certain, decline to revoke or suspend the license or make such other determination as it, in its sole discretion, deems appropriate in the circumstances.

C. The decision of the Public Works Committee shall be final and binding upon the licensee. No application for a license under this Chapter shall be accepted for a period of one year from the date of the Committee's action.

D. Notwithstanding anything to the contrary herein, the Director shall have power to refuse permission to a licensee to use the Norwalk Transfer Station when, in their opinion, such licensee has violated this Chapter or any applicable rule or regulation. [Amended 2-24-2009]

**§ 94-5. Acceptable Solid Waste collection.**

A. The owner or lessee of each Residential Dwelling where Acceptable Solid Waste is created or generated shall provide, at a suitable place upon such premises and not on the street or sidewalk, sufficient receptacles for receiving and holding such waste during the intervals between collections. Acceptable Solid Waste shall not be placed out for collection in plastic bags or outside of the City provided containers. Acceptable Solid Waste shall not be placed out for collection with the lid closed and shall not weigh more than 75 pounds per container. Each container shall be placed out for collection in good condition. No loose material will be collected by the City.

B. All containers used for the storage of Acceptable Solid Waste, Food Waste or Recyclable Waste shall be maintained by the owners thereof and promptly replaced when no longer fit for use. Containers not conforming to the requirements set forth in this Chapter and deemed a sanitary or accident hazard, as determined by the Director, may be confiscated by the City and disposed of, without compensation to the owner.

C. The property owner, lessee or the person served shall place the City-provided Acceptable Solid Waste containers at the curbline at the time designated by the Director, but no later than 6:00 a.m. on days on which collections will be made; provided, however, that such containers may be so placed for collection on the evening preceding the date on which collections will be made, but no earlier than 6:00 p.m. All containers shall be removed from the curbline within 24 hours after collection.

D. The owner of each commercial premise where Solid Waste is created or generated shall provide, at a suitable place upon such premises and not on the street or sidewalk, sufficient receptacles for receiving and holding such Solid Waste during the intervals between collections. Solid waste cannot be stored on a commercial premises for more than 7 days. Acceptable Solid Waste, Bulky Solid Waste and Recyclable Waste generated in the City can be disposed of at the Norwalk Transfer Station or collected by a licensed hauler.

**§ 94-6. Unlawful deposit.**

A. Deposit in public places.

(1) No person shall place any Solid Waste in any street, alley or other public place or upon any private property, whether owned by such person or not, within the City except in proper containers or otherwise property prepared for collection, unless with express approval granted by the Director. No person shall throw or deposit any Solid Waste in any stream, sewer or other body of water.

(2) Any uncontained accumulation of Solid Waste on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any accumulation of solid waste within seven days after written notice by registered mail to remove the same shall be deemed a violation of this Chapter.

B. No person shall cast, place, sweep or deposit anywhere within the City any Solid Waste in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley or other public place or into any occupied premises.

C. It shall be unlawful for any person to place Special Handling Waste or similarly dangerous substances, as determined by the Director, into any container used for the storage and/or disposal of Acceptable Solid Waste, Food Waste or Recyclable Waste, or to transport any such substance to the Norwalk Transfer Station, Yard Waste Site or solid waste disposal facility designated by the Director pursuant to this Chapter.

D. No person shall deposit any Solid Waste in any City receptacle in a City park which has been brought from any area outside said City park. This provision shall not prohibit disposal of garbage, rubbish or waste created by activities in said park, such as by the consumption of food.

**§ 94-7. Collection and disposal within the Fourth Taxing District.**

A. The Director is authorized and directed to have removed or cause to be removed all Acceptable Solid Waste, when property prepared as provided in this Chapter, from all areas within the Fourth Taxing District of the City. Such collections shall be a governmental function under the direction of the Director and shall be financed by residents of the Fourth Taxing District.

B. Within the Fourth Taxing District, collection schedules and methods of collection shall be determined by the Director, provided that collections shall be made on scheduled days in each locality or street and that the residents of the Fourth Taxing District shall be informed of the times or collection or any changes therein by means of proper notice in the local newspaper or by such other means as may be expedient.

C. The City shall not charge any qualified residential condominium or residential cooperative unit, as defined by Chapter 828 of the Connecticut General Statutes, or property located on a private road within the Fourth Taxing District, for that portion of the property tax attributable to garbage collection. The amount of the tax exemption for each qualified unit or residence shall be calculated as follows: that portion of the annual mill rate for garbage collection multiplied by the assessed value of the unit or residence.

requests or the incidents. The Committee may revoke the license, suspend and present such testimony and evidence as they may wish. The Committee may revoke the license or make such other determination as it, in its sole discretion, deems appropriate in the circumstances.

C. The decision of the Public Works Committee shall be final and binding upon the licensee. No application for a license under this Chapter shall be accepted for a period of one year from the date of the Committee's action.

D. Notwithstanding anything to the contrary herein, the Director shall have power to refuse permission to a licensee to use the Norwalk Transfer Station when, in their opinion, such licensee has violated this Chapter or any applicable rule or regulation. [Amended 2-24-2009]

**§ 94-16. Rules and regulations.**

The Director shall have the authority to make such other reasonable rules and regulations concerning collection, transportation and disposal of Solid Waste as they shall deem necessary, which shall take effect no less than three days after posting at the Department of Operations and Public Works' offices and at all designated solid waste disposal facilities.

**§ 94-17. Violations and penalties. [Amended 2-24-2009]**

Any person violating any of the provisions of this Chapter shall be deemed guilty of a violation and, upon determination thereof, shall be fined in an amount established in accordance with the provisions of § 90-4. Approval of rates and fees. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

**ARTICLE II  
Use of Transfer Station and Yard Waste Site  
[Added 4-14-2020]**

**§ 94-18. Disposal pass for residents and/or real property owners who pay Norwalk vehicle tax.**

Except as provided below, all non-commercial vehicles of Norwalk residents and/or real property owners for which a vehicle tax is paid to Norwalk shall be entitled to dispose of up to a total of one ton per year of contained Acceptable Solid Waste, Recyclable Waste, and Bulky Solid Waste without charge with a valid disposal pass to the Norwalk Transfer Station and the Yard Waste Site. In order to maintain the validity of this pass, Norwalk residents and/or real property owners shall remain current on their vehicle tax. If Norwalk residents and/or real property owners are more than 45 days delinquent on their vehicle tax, then this pass shall become invalid until the vehicle tax, and all applicable fees, interest and penalties, have been satisfied. The disposal pass must be displayed on the driver's side dashboard during use of both facilities.

**§ 94-19. Admission for residents and/or real property owners who do not pay Norwalk vehicle tax.**

Except as provided below, all non-commercial vehicles of Norwalk residents and/or real property owners for which a vehicle tax is paid to a city other than Norwalk shall be entitled to purchase a disposal pass to the Norwalk Transfer Station and the Yard Waste Site for a sum to be set pursuant to the Department of Operations and Public Works' fee schedule.

**§ 94-20. Additional permits.**

A. An additional disposal permit, issued at the Norwalk transfer station by the Department of Operations and Public Works, is required for all pickup trucks, vans and/or vehicles with trailers. Residents and/or real property owners with a pickup truck, van and/or vehicle with trailer will be required to show a valid disposal pass, as provided in §§ 94-18 and 94-19, in order to apply for the additional disposal permit.

B. Commercial permits are required for all commercial vehicles. These permits are issued by the Department of Operations and Public Works. The fee schedule for commercial permits is set pursuant to the Department of Operations and Public Works' fee schedule.

**§ 94-21. Admission for nonresidents, non-permit holders and/or non-real property owners.**

Except as may be otherwise determined by the Director, all vehicles of non-residents, non-permit holders and/or non-real property owners shall be entitled to use the Norwalk Transfer Station and Yard Waste Site for a sum to be set pursuant to the Department of Operations and Public Works' fee schedule.

Dated at Norwalk, Connecticut this \_\_\_\_\_ day of March 2025.

ATTEST: Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, April 4, 2025

Romance." He was also a part of Robert Downey Jr.'s Hollywood comeback in "Kiss Kiss Bang Bang," a black comedy in which Kimerly Mays "Cav" been Ringo's Huckleberry, In Connecticut he became Mark Twain — who was also known for a Huckleberry Connecticut's Mark Twain like the New York Times. Twain has been well documented in magazines like Yulture and newspapers like the New York Times. Twain's love for Twain has been well documented in magazines like Yulture and newspapers like the New York Times.

rest of the world. And I think Mark Twain's impact about race and greed is equal in that kind of comparison." Twain. He played Twain in film called "Mark Twain & Mary Baker Eddy" in 2007. He posted a faux-trailer on YouTube in character as Twain, featuring Kimerly Mays.

**CITY OF NORWALK  
ORDINANCE COMMITTEE  
REGULAR MEETING  
MARCH 18, 2025  
VIA ZOOM VIRTUAL MEETING.**

ATTENDANCE: Margaret (Lisa) Shanahan; Chair, Anne Wennerstrand, Heather Dunn, Jalin Sead, Nora Niedzielski-Eichner, Johan Lopez

STAFF: Brian Candela

OTHER: Donald Overton; Board of Assessment and Appeals, James Walsh; Police Chief, Garrett Bolella; Assistant Director, TMP, John Livingston, Bryan Lutz; Assistant Director of Parking, Nathan Fankhanel, Vanessa Valadares; Chief of Operations and Public Works, Chris Torre; Superintendent of Operations, Thomas Szabo; Waste programs Manager.

**I. CALL TO ORDER**

Ms. Shanahan called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

The roll was called as reflected above. A quorum was present.

**III. PUBLIC HEARING**

A. • Discuss and vote on Section 103-14 Appointment of members; increase in membership (Board of Assessment Appeals)

There were no members of the public who wished to speak on the matter.

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**\*\* MS. DUNN MOVED TO SEND SECTION 103-14 TO THE COMMON COUNCIL.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

B. • Discuss and vote on Vape Shop ordinance.

Diane Lauricella  
21 Little Fox Lane

Ms. Lauricella said she was happy the committee was looking into vape shops. She stated in light of the mission and purpose of the ordinance, Ms. Lauricella would like to see an amendment related to who is in charge of educating the public on the dangers of smoking and vape shops. She expressed her fears that transferring the bulk of the responsibility to the city clerk's office would be less of an effort to inform the public. She noted her agreement with others that there are too many vape shops, and she felt their numbers should be controlled just like cannabis shops.

**\*\* MS. DUNN MOVED TO SEND THE VAPE SHOP ORDINANCE TO THE COMMON COUNCIL.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

#### **IV. PUBLIC PARTICIPATION**

Diane Lauricella  
21 Little Fox Lane

Ms. Lauricella commented that agenda items 6 A. and 6 B. should not be voted on at this time. She gave her list of comments on Chapter 94. She stated that the language of the document made little attempt to emphasize reducing and recycling waste. She said she would love to see an amendment to the language that includes the use of reuse and recycle especially in the areas of food and bulky waste. She went on to list language she felt was missing that should be included. Ms. Lauricella also commented on violations and penalties. She indicated she had seen multiple violations that to her knowledge had not received any penalty. She also listed her complaints about the current citation procedures and a lack of hearing officers.

Mr. Candela explained that no ordinance can be approved without first having a public hearing.

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He then stated they had already had a public hearing on this ordinance.

Diane Cece  
37 Olmstead Place

Ms. Cece told the committee the public shouldn't be compelled to sit through or watch hours of meetings to understand what's being done. She stated a staff member or someone from the committee produces executive summary-type statements for the public.

## V. ACCEPTANCE OF MINUTES

A. • February 18, 2025 – regular meeting of the ordinance committee

**\*\* MR. SEAD MOVED TO APPROVE THE MINUTES FOR THE FEBRUARY 18, 2025 MEETING.**

Ms. Niedzielski-Eichner said on the top of page five the term \*judgment lean\* should be changed to \*judgement lien\*

**\*\* THE MOTION TO APPROVE THE MINUTES AS AMENDED PASSED UNANIMOUSLY.**

Ms. Shanahan asked for a motion to move the items listed under new business ahead of the items listed under old business.

**\*\* MS. DUNN MOVED TO DISCUSS THE TWO NEW BUSINESS ITEMS BEFORE THE DISCUSSION OF OLD BUSINESS.**

## VI. OLD BUSINESS

A. • Discuss and vote on Chapter 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site

Ms. Valadares discussed the changes made to the proposed ordinance. She said the changes reflect what's in the draft of the Strategic Plan presented to the common council. She highlighted the major changes to the ordinance. The first item is the removal of the option to opt-out in all

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four tax districts. The second item deals with the standardization of the containers used. She noted they would be issuing new bins to residential properties defined as having four or fewer units. She added the vendors will only pick up garbage from those bins. Ms. Valadares also explained they wouldn't collect overflow garbage in bags on the sidewalk. She then went on to discuss various definitions used in the ordinance making sure they align with local, state, and federal definitions. She stated they defined what is acceptable solid waste, bulky solid waste, hazardous waste, and recyclable waste. Ms. Valadares told Ms. Niedzielski-Eichner that the noise issue that concerned her had been addressed. She also mentioned the change in language that allows them to fine those in violation of the ordinance.

Mr. Candela gave a synopsis of the changes that include:

- No more opt-outs for residential dwellings
- Commercial operations must submit proof of a garbage contract
- Bins must be placed out and removed from the street in a timely fashion
- One ton of free garbage is for all garbage
- Standardized bins

Ms. Valadares said the new contract that goes into place on July 1, 2025, will reflect everything covered in the ordinance.

Ms. Niedzielski-Eichner wanted to know why the new language in 94-16 and 94-17 was sufficient to allow for fining those who violated the ordinance. Mr. Candela was confident the change of language would be enough. He indicated the process would allow people to go before a citation hearing officer and appeal. Ms. Niedzielski-Eichner wanted clarification on whether changes could be made to the ordinance if necessary. Ms. Valadares said yes and then cited an example. Ms. Niedzielski-Eichner then asked about the ability of public outreach to cover more than just new bins. Ms. Valadares discussed what they have planned for public outreach. She stated as soon as the ordinance was in place they would finalize the plans for public outreach. She also noted they were working with the vendor's marketing staff.

Mr. Sead asked if it would be possible to create a one-page summary as suggested by Ms. Cece to inform the public about the changes. Ms. Shanahan said she would talk the matter over with Mr. Candela.

**\*\* MR. SEAD MOVED TO TAKE CHAPTER 94: SOLID WASTE  
COLLECTION & DISPOSAL; TRANSFER STATION & YARD WASTE  
SITE TO A PUBLIC HEARING ON APRIL 15, 2025.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

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- B. • Discuss and vote on new proposed ordinance: Issuance of Citations; Hearing Procedure

Mr. Candela provided clarification to multiple points brought up by Ms. Dunn at the previous meeting. He said if they wanted they could take another month to look over the issuance of citations and hearings before sending it over for a public hearing. Ms. Shanahan was curious whether this was based on another city ordinance. Mr. Candela said it was a collection of between 12 and 15 other municipal ordinances describing a general citation and issuance process.

Ms. Niedzielski-Eichner asked if this was an answer to what happens if people ignore the existing blight and zoning process. Mr. Candela said it was his understanding. In response to Ms. Niedzielski-Eichner's question about the choice of 12 months, Mr. Candela said he based that on what was found in other ordinances. Mr. Candela felt it was probably a good idea to take another month to familiarize themselves with the material and the people involved before sending it to the public hearing. He said he would contact Attorney Sapienza who does blight enforcement to see what his thoughts about timing are.

Ms. Shanahan stated they would move this forward to the next meeting on April, 18th.

## **VII. NEW BUSINESS**

- A. • Discuss new proposed ordinance: Use of Automated Traffic Enforcement Safety Devices

Mr. Livingston gave an overview of the use of automated traffic enforcement safety devices. He indicated the state has passed legislation authorizing municipalities to set up speed and red light cameras providing they satisfied various conditions. Mr. Livingston discussed the various conditions required to satisfy state guidelines. He stated what they have to do as a municipality is adopt the ordinance. He noted the ordinance being brought before the committee was modeled on the New London, Stamford and Hartford ordinances.

Mr. Bolella described the devices as speed cameras and red light cameras that collect alleged violations via recorded images. He pointed out the city had a significant number of crashes related to aggressive driving and speeding. He referred to this program as another way they can make the city's roadways safer. He went on to say any fees related to an ATD program are required to be reinvested into the community to improve mobility, safety of the roadways, and improvements to the transportation infrastructure. He also noted that the fees could be used to make the program self-sufficient. Mr. Bolella stated the Connecticut General Statutes are very specific on where the devices can be installed. He indicated the discussion of the ordinance was the first step and would be followed by public hearings. He noted with its adoption they would

go through the necessary steps to partner with a vendor and develop a plan. He made a point of stating nothing can be installed without a comprehensive plan, a public meeting related specifically to the plan, and it coming back to the council for approval before it can be submitted to the DOT. He explained that the DOT is the body that approves all the plans. Mr. Bolella proceeded to outline the next steps.

Ms. Niedzielski-Eichner expressed her concerns about privacy issues being only as good as the vendor's reliability. She brought up what she felt were increasing national risks for surveillance. She asked who they have discussed privacy issues with and if there is an independent analysis of the data collection and disposal practices of the vendors being considered. Mr. Livingston stated they hadn't put out an RFP, but those are things they would be asking prospective vendors. He noted the state already has strict guidelines on the subject. Mr. Golello reiterated the state already has strict guidelines for how the data can be used and it has to be destroyed 30 days after payment for the violation. He stated they could make sure the data is stored exclusively in the United States. In response to Ms. Niedzielski-Eichner, Mr. Bolello explained the devices will only take images if triggered. The data collected will then be used to generate a citation. I noted in response to Ms. Niedzielski-Eichner that there is a human review to be done by the vendor to screen each of the violations. It would then go to either the police department or the Traffic Authority before a citation is issued. Mr. Bolello then discussed the appeals process. Payment for the violation starts the 30-day clock. Mr. Livingston read the section of the state guidelines explaining how the data should be handled and destroyed. Ms. Niedzielski-Eichner said she still had concerns and wanted to do more research on the subject.

Ms. Wennerstrand commented on the issue of engaging the public trust in the program. She feels there's a lot that needs to be discussed if the program goes forward. Mr. Livingston suggested having a vendor come to a meeting to talk to the committee.

Mr. Sead said he understands the concerns but for public safety, he thinks this is a great thing to move forward. He stated that he felt public safety was the most important issue and he was excited to move the program forward.

Ms. Shanahan put forward bringing the issue up at the April 18th meeting at which time a vendor can address their concerns about data collection and disposal.

B. • Discuss Chapter 73A: Parking Authority, sections 73A-1 through 73A-9

Mr. Livingston gave some background on the amendment of the state statute which gives Parking Authorities statewide the ability to enforce local traffic laws. Previously this was handled by the police department a situation that was deemed a poor use of the city's resources. Mr. Livingston noted that Chapter 73A sections A-1 to A-9 give the Parking Authority the power and authority to enforce the parking regulations and receive amounts remitted to the city for

violations of the parking regulations.

Ms. Dunn had a question about who would be overseeing this in the long term. Mr. Lutz stated currently they were contracted with LAZ Parking, He noted should they contract with another party the responsibility would go to them. Ms. Dunn asked if it would come out of the TMP budget. Mr. Livingston stated the fees go to the Traffic Authority for the purpose of enforcement.

Ms. Niedzielski-Eichner wanted to know if the policy aspects of the ordinance would be handled by city employees and not be outsourced. Mr. Lutz explained the ordinance changes would give the Parkin Authority the operational capabilities to do enforcement. He then said he thought any policy or procedure that gets put in place to make things operational would go to the parking authority board for approval.

Ms. Niedzielski-Eichner brought up the addition of the director of the TMP and the removal of Public Works. Mr. Livingston noted that the removal of Public Works in the ordinance reflects the current city structure.

Ms. Wennerstrand requested Mr. Livingston elaborate on the potential benefits. Mr. Livingston noted that until now the Parking Authority could not implement a residential parking program. Mr. Lutz explained that previously the Park Authority could only issue violations on metered and time sensitive and time regulated spaces.

Niedzielski-Eichner was looking for clarification as to who would implement the establishment of zones. Mr. Lutz indicated the Parking Authority would have the ability to establish those rules. He cited the system used by Stamford as an example. Ms. Niedzielski-Eichner then asked if the parking regulations for the city would then be defined by the Parking Authority. Mr Livingston pointed out the certain language is used in the State Enabling Statute. Still looking for clarity Ms. Niedzielski-Eichner wanted to know if the creation of zones would require the ordinance to be modified and go through the Ordinance Committee. Mr. Livingston said to her point they would have to look into all this as they move forward.

**\*\* MR. LOPEZ MOVED TO SEND CHAPTER 73A: PARKING  
AUTHORITY, SECTIONS 73A-1 THROUGH 73A-9 TO PUBLIC  
HEARING ON APRIL 18, 2025.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

## **VIII. DISCUSSION**

There were no other items discussed.

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**IX. ADJOURNMENT**

**\*\* MS. NIEDZIELSKI-EICHNER MOVED TO ADJOURN THE MEETING.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:26 p.m.

Respectfully submitted  
China Mayhew  
Telesco Secretarial Services

## USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES

### Sec. x-1. Use of Automated Traffic Enforcement Safety Devices.

Pursuant to the authority granted in Public Act 23-116 of the 2023 Session of the Connecticut General Assembly (the "Act"), the City of Norwalk (the "City") hereby authorizes the use of Automated Traffic Enforcement Safety Devices at locations within School Zones, Pedestrian Safety Zones, and other places within the boundaries of the City, provided that the locations of such devices are identified in a plan submitted to and approved by the Connecticut Department of Transportation.

### Sec. x-2. Definitions.

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

#### **AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICE**

A device designed to detect and collect evidence of alleged traffic violations by recording images that capture the Number Plate, date, time, and location of a Motor Vehicle that (1) exceeds the posted speed limit by ten or more miles per hour, or (2) fails to stop such vehicle when facing a steady red signal on a traffic control signal.

#### **AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICE OPERATOR**

A person who is trained and certified to operate an Automated Traffic Enforcement Safety Device.

#### **MOTOR VEHICLE, NUMBER PLATE, and OWNER**

Shall have the respective meanings set forth in G.G.S. § 14-1, as amended from time to time.

#### **PEDESTRIAN SAFETY ZONE**

An area designated by the Office of the State Traffic Administration or the Traffic Authority of the City pursuant to C.G.S. § 14-307a, as amended from time to time.

#### **PERSONALLY IDENTIFIABLE INFORMATION**

Information created or maintained by the City or a Vendor that identifies or describes an Owner and includes, but need not be limited to, the Owner's address, telephone number, Number Plate, photograph, bank account information, credit card number, debit card number, or the date, time, location, or direction of travel on a highway.

#### **SCHOOL ZONE**

An area designated by the Office of the State Traffic Administration or the Traffic Authority of the City pursuant to CG.S. § 14-212b, as amended from time to time.

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## **TRAFFIC AUTHORITY, TRAFFIC CONTROL SIGN, and TRAFFIC CONTROL SIGNAL**

Shall have the respective meanings set forth in G.G.S. § 14-297, as amended from time to time.

### **VENDOR**

A person who: (1) provides services to the City under this Chapter; (2) operates, maintains, leases, or licenses an Automated Traffic Enforcement Safety Device; or (3) is authorized to review and assemble the recorded images captured by an Automated Traffic Enforcement Safety Device and forward such recorded images to the City.

#### **Sec. x-3. Vendors.**

The City may enter into agreements with Vendors for the design, installation, operation, or maintenance, or any combination thereof, of Automated Traffic Enforcement Safety Devices. If a Vendor designs, installs, operates, or maintains an Automated Traffic Enforcement Safety Device, the Vendor's fees may not be contingent on the number of citations issued or fines paid pursuant to this Chapter.

#### **Sec. x-4. Operation of Automated Traffic Enforcement Safety Devices.**

All Automated Traffic Enforcement Safety Devices shall be operated by an Automated Traffic Enforcement Safety Device operator.

#### **Sec. x-5. Violation.**

- (a) The Owner of a Motor Vehicle commits a violation of this Chapter if the person operating such Motor Vehicle:
  - (1) Exceeds the posted speed limit by ten or more miles per hour and such operation is detected by an Automated Traffic Enforcement Safety Device; or
  - (2) Fails to stop such Motor Vehicle when facing a steady red signal on a Traffic Control Signal and such failure is detected by an Automated Traffic Enforcement Safety Device.
- (b) Automated Traffic Enforcement Safety Devices shall be used solely for identifying violations of this Chapter.
- (c) For the first thirty days after a location is equipped with an operational Automated Traffic Enforcement Safety Device, the Owner of a Motor Vehicle that allegedly violates this Chapter that is detected by such device shall receive a written warning instead of a citation.

#### **Sec. x-6. Penalty for violation.**

- (a) Whenever an Automated Traffic Enforcement Safety Device detects and produces recorded images of a Motor Vehicle allegedly committing a violation of this Chapter, a sworn member or employee of the City's Police Department, or an employee of the City

designated by the Traffic Authority, shall review and approve the recorded images provided by such device. If, after such review, the member or employee determines that there are reasonable grounds to believe that a violation of this Chapter has occurred, the member or employee may issue by a citation to the Owner of such Motor Vehicle. The citation shall be sent by first class mail.

- (b) A citation under this Chapter shall include the following:
- (1) The name and address of the Owner of the Motor Vehicle;
  - (2) The Number Plate of the Motor Vehicle;
  - (3) The violation charged;
  - (4) The location of the Automated Traffic Enforcement Safety Device and the date and time of the violation;
  - (5) A copy of or information on how to view, through electronic means, the recorded images that captured the alleged violation;
  - (6) A statement or electronically generated affirmation by the member or employee who reviewed the recorded images and determined that a violation occurred;
  - (7) Verification that the Automated Traffic Enforcement Safety Device was operating correctly at the time of the alleged violation and the date of the most recent calibration check performed pursuant to the Act;
  - (8) The amount of the fine imposed and how to pay such fine; and
  - (9) The right to contest the violation and request a hearing pursuant to **Chapter X** of the Norwalk City Code.
- (c) In the case of an alleged violation involving a Motor Vehicle registered in Connecticut, the citation shall be mailed not later than thirty days after the identity of the Owner is ascertained to the address of the Owner that is in the records of the Connecticut Department of Motor Vehicles. In the case of an alleged violation involving a Motor Vehicle registered in another jurisdiction, the citation shall be mailed not later than thirty days after the identity of the Owner is ascertained to the address of the Owner that is in the records of the official in the other jurisdiction issuing such registration.
- (d) A citation shall be invalid unless mailed to an Owner not later than sixty days after the alleged violation.

**Sec. x-7. Fine for violation.**

- (a) The City shall impose a fine against the Owner of a Motor Vehicle that commits a violation of this Chapter.
- (b) The fine for the first violation of this Chapter shall be fifty dollars (\$50.00). The fine for each subsequent violation of this Chapter shall be seventy-five dollars (\$75.00). These fines shall be imposed against the Owner of the Motor Vehicle committing the violation.

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- (c) Payment of a fine and any associated fee may be made by electronic means.
  - (d) A reasonable fee, not to exceed fifteen dollars (\$15.00) per citation, may be imposed for the costs associated with the electronic processing of the payment of a fine.
  - (e) Any funds received by the City from fines imposed pursuant to this Chapter shall be used solely for the purposes of improving transportation mobility, investing in transportation infrastructure improvements, or paying the costs associated with the use of Automated Traffic Enforcement Safety Devices within the City.

~~**[Sec. x-8. Removal or immobilization of motor vehicles bearing outstanding citations.**~~

~~No person shall park or operate a Motor Vehicle on any City street, in any public parking garage, on any public property within the City, or on property owned or managed by the Norwalk Housing Authority if the last registered owner of the vehicle or Number Plate owes delinquent fines and fees from this Chapter in a cumulative amount of two hundred forty five dollars (\$245.00) or greater, or has three or more delinquent citations that are otherwise unsettled and uncontested. In addition to being subject to a Class II parking violation penalty as provided in section 231-6 of the code, such vehicle shall, upon approval of the Traffic Authority or their designee, be subject to the removal or immobilization provisions as provided in section 231-8 of the code.]~~

**Sec. x-9. Appeal.**

Any Owner issued a fine for violating the provisions of this Chapter may, within ten days of the receipt of the fine, appeal in writing to a citation hearing officer in accordance with Section X of the City Code.

**Sec. x-10. Defenses.**

The defenses available to the Owner of a Motor Vehicle who is alleged to have committed a violation of this Chapter shall include, but are not limited to, any one or more of the following:

- (a) The operator was driving an emergency vehicle in accordance with the applicable provisions of C.G.S. § 14-283, as amended from time to time.
- (b) The Traffic Control Signal was inoperative, which is observable on the recorded images.
- (c) The violation was necessary for the operator to comply with an order or direction from a law enforcement officer, which is observable on the recorded images.
- (d) The violation was necessary to allow the passage of an authorized emergency vehicle, which is observable on the recorded images.
- (e) The violation took place during a period of time in which the Motor Vehicle had been reported as being stolen to a law enforcement unit, as defined in C.G.S. § 7-294a, as amended from time to time, and had not been recovered prior to the time of the violation.

- (f) The Automated Traffic Enforcement Safety Device was not in compliance with the calibration check required pursuant to the applicable provisions of the Act.

**Sec. x-11. Disclosure of Personally Identifiable Information.**

- (a) No Personally Identifiable Information shall be disclosed by the City or a Vendor to any person or entity, including any law enforcement unit, except where the disclosure is made in connection with the charging, collection, and enforcement of the fines imposed pursuant to this Chapter.
- (b) No Personally Identifiable Information shall be stored or retained by the City or a Vendor unless such information is necessary for the charging, collection, and enforcement of the fines imposed pursuant to this Chapter.
- (c) The City or a Vendor shall destroy all Personally Identifiable Information and other data that specifically identifies a Motor Vehicle and relates to a violation of this Chapter not later than thirty days after any fine is collected or the resolution of a hearing conducted for the alleged commission of such violation, whichever is later.
- (d) Any information and other data gathered from Automated Traffic Enforcement Safety Devices shall be subject to disclosure under the Freedom of Information Act, as defined in C.G.S. § 1-200, as amended from time to time, except that no Personally Identifiable Information may be disclosed.

**Sec. x-12. The Act.**

To the extent of applicability, the provisions in the Act that are necessary to further and/or effectuate this Chapter are hereby incorporated and adopted in toto, herein.

**Sec. x-13. Severability.**

If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by any decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter.

**Sec. x-14. Repealer.**

All Chapters, bylaws, orders, resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Chapters, bylaws, orders, resolutions, or parts thereof, heretofore repealed.

**Chapter \_\_. Issuance of Citations; Hearing Procedure**

**§ \_\_-1. Purpose.**

The purpose of this Chapter is to establish a procedure for the issuance of citations to be followed in all instances when citations are issued by employees of the City of Norwalk (the "City"). This Chapter also establishes a hearing procedure for the appeal and enforcement of all fines, penalties, costs, and fees for citations issued for violations of City ordinances.

**§ \_\_-2. Appointment of hearing officers.**

The Mayor shall appoint one or more persons who are electors of the City to serve as citation hearing officers to conduct hearings regarding the violation of City ordinances. No City employee authorized to issue citations for the violation of any City ordinance shall be permitted to serve as a citation hearing officer.

**§ \_\_-3. Notice of violation.**

Within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs, or fees for any citation issued under a City ordinance for a violation thereof, the City shall send notice to the cited person(s). Such notice shall inform the cited person(s):

- A. Of the allegations against the cited person(s) and the amount of the fines, penalties, costs, or fees due;
- B. That the cited person(s) may contest liability before a hearing officer appointed by the Mayor by delivering in person or by mail written notice of demand for a hearing to the address specified in the notice within 10 days of the date thereof;
- C. That if a hearing is not so demanded, an assessment and judgment shall be entered against the cited person(s); and
- D. That such judgment may issue without further notice.

For purposes of this section, notice shall be presumed to have been properly sent if such notice was mailed to such person's last known address on file with the City Tax Collector's office.

**§ \_\_-4. Admission of liability.**

If a cited person(s) sent notice pursuant to Section 3 wishes to admit liability for an alleged violation, the cited person(s) may, without requesting a hearing, pay the full amount of the fines, penalties, costs, or fees in person or by mail to the address specified in the notice. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the cited person(s) making the payment. Any cited person(s) who does not deliver or mail written notice of demand for a hearing within 10 days of the date of the notice provided in Section 3 above, shall be deemed to have admitted liability and the Chief of the City department specified in the notice, or their designee, shall certify such person or persons' failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs, or fees provided for by the applicable ordinance and shall follow the procedures set forth in this Chapter.

**Commented [BC1]:** Ask whether we need hold harmless language for the hearing officers? Chapter 67A.

**Commented [BC2R1]:** Section 67A discusses municipal officers that are elected or appointed. The Mayor appoints citation hearing officers for both blight and zoning. Therefore, appointed citation hearing officers would be covered under Chapter 67A, entitled Municipal Liability (as long as their conduct was not a malicious, wanton or willful act or ultra vires act and was within the scope of their employment).

**Commented [BC3]:** Do we need people with specific credentials to be a citation hearing officer?

**Commented [BC4R3]:** Ideally, I would recommend that the citation hearing officers be attorneys that are well-versed in the particular area they are handling. Attorneys also have knowledge of due process concerns and how to interpret the General Statutes. However, the City could also use electors that are not attorneys, but have knowledge about the particular area they are handling.

**Commented [BC5R3]:** For Zoning, Mayor appoints. NCC 117-8(B): "The Mayor shall appoint one or more citation hearing officers which are electors of the City of Norwalk, other than employees of the City, persons who issue zoning citations, anyone on any City board, commission or agency, Common Council members, or anyone currently holding a politically appointed position."

For Blight, Mayor appoints, but must be an attorney. NCC 58-4(D): The Mayor shall appoint one or more citation hearing officers other than police officers, City employees, or the Blight Prevention Officer, to conduct citation appeal hearings. The citation hearing officer shall be a member, in good standing, of the Connecticut Bar Association. Issuance and service of citations, payment of fines, hearings and appeals to the Connecticut Superior Court shall be governed by Section 7-152c of the Connecticut General Statutes, as amended.

**Commented [BC6]:** Subject to Common Council approval?

**Commented [BC7R6]:** Based on what I located concerning Zoning citation officers and Blight enforcement officers, I do not think it is necessary.

§ \_\_\_-5. Hearing procedure.

- A. Any cited person(s) who requests a hearing shall be given written notice of the date, time, and place of the hearing. Such hearing shall be held not less than 15 days nor more than 30 days from the date of the mailing of such notice, provided the hearing officer shall grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing employee shall be filed and retained by the City, be deemed to be a business record within the scope of Connecticut General Statutes § 52-180, as amended from time to time, and be evidence of the facts set forth therein. At the request of the cited person(s), the presence of the issuing employee shall be required at the hearing. A designated City employee, other than the hearing officer, may present evidence on behalf of the City. A person wishing to contest their liability shall appear at the hearing and present evidence on their own behalf.
- B. If the cited person(s) fails to appear ~~and such appearance has not been determined by the hearing officer to be unnecessary~~, the hearing officer may, in their discretion, enter an assessment by default against the cited person(s) upon a finding of proper notice and liability under the applicable ordinance. The hearing officer may accept from the cited person(s) copies of written statements, police reports, investigatory and citation reports, and other official documents by mail or hand delivery, and may determine thereby that the appearance of such person(s) is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as the hearing officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce a decision at the end of the hearing. If the hearing officer determines that the cited person(s) is not liable, the matter shall be dismissed and the decision of the hearing officer entered in writing accordingly. If the hearing officer determines that the cited person(s) is liable for the violation, said hearing officer shall forthwith enter and assess the fines, penalties, costs, or fees against the cited person(s) as provided by the applicable ordinance.
- C. All final decisions of the hearing officer shall be made at the end of the hearing. If the hearing officer finds that the cited person(s) is not liable, the hearing officer shall dismiss the matter and enter their determination in writing accordingly. If the hearing officer determines that the cited person(s) is liable for the violation, the hearing officer shall enter their determination in writing and assess the fines, penalties, costs or fees against the cited person(s) as provided by the applicable Chapter of the City Code. in writing and filed with the Town Clerk of the City within 14 days from the date of the final decision.

§ \_\_\_-6. Notice of assessment and judgment.

- A. If an assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the cited person(s) found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court, together with the applicable court costs. The certified copy of the notice of assessment shall constitute a record of assessment. Within such 12 month period, assessments against the same cited person(s) may be accrued and filed as one record of assessment. The Town Clerk shall enter judgment in the amount of said record of assessment and court costs against the cited person(s), in favor of the City. The hearing officer's assessment, when so entered as a judgment, shall have the effect of a

civil money judgment, and a levy of execution on such judgment may issue without further notice to such cited person(s).

- B. In the event that the fines, penalties, costs, and fees imposed by the hearing officer are made ~~pursuant to the provisions of an ordinance regulating blight, adopted pursuant to Connecticut General Statutes § 7-148(e)(7)(H)(xv), as amended,~~ and the fines, penalties, costs, and fees associated with the same ~~under the blight ordinance~~ are not paid on the date of the entry of assessment, then the fines, penalties, costs, and fees shall constitute a lien of the City on the real property ~~where said blight exists~~, which lien may be continued, recorded and released in the manner provided by Connecticut law for the continuing, recording, and releasing of property tax liens. Each such lien may be enforced in the same manner as property tax liens including foreclosure of the real property. Said lien shall remain an encumbrance upon the subject property until such time as the ~~blight~~ condition has been abated and all fines, penalties, costs, and fees assessed have been paid.

§ \_\_\_-7. **Appeal.**

A cited person(s) against whom an assessment has been entered pursuant to this Chapter is entitled to judicial review by way of appeal in accordance with the provisions of Connecticut General Statutes §7-152c, as amended from time to time. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment together with the applicable court fees at the appropriate Superior Court, which shall entitle the cited person(s) to a hearing in accordance with the rules of the judges of the Superior Court.

§ \_\_\_-8. **Other remedies.**

No action taken pursuant to this Chapter shall preclude the City from pursuing other enforcement remedies, either in addition to those specified in this Chapter or separately, in order to achieve lawful compliance with the City's ordinances.

**§ 32-11. Subsequent employment. [Amended 9-24-2019]**

- A. An Individual who has served as an Officer or Employee shall not within one year after termination of his or her service, assist any third party, for monetary or other valuable compensation, before the Agency for which the Officer or Employee served or was employed, in any matter in which said Officer or Employee participated personally and substantially during his or her service with the City.
- B. No Agency shall employ any Individual who has served as an Officer of the Agency during the preceding 12 months or any Immediate Family member of an Individual who has served as an Officer of the Agency during the preceding twelve (12) months. Notwithstanding the other provisions of this code, the Medical Director shall be exempt from this restriction.