

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
DECEMBER 17, 2019**

ATTENDANCE: Tom Livingston, Acting Chair; David Heuvelman, Tom Keegan, Kadeem Roberts, Lisa Shanahan

OTHERS: Atty. Brian Candela, Corporation Counsel.

ROLL CALL

Mr. Livingston called the meeting to order at 7:00 p.m. and called the roll. A quorum was present. Mr. Livingston explained to the Committee and those present that Mr. Hosten had been elected to the vacancy on the Board of Education and had resigned from the Council.

PUBLIC HEARING

Discuss and vote on Tax Exemption for Solar Energy, Chapter 103, Article III

There was no one present who wished to address the Committee on this Ordinance.

Discuss and vote on Chapter 68 -- Noise Ordinance

- Section 68-5, Table 2
- Section 68-5(C)(13)
- Section 68-6(B)(6)

There was no one present who wished to address the Committee on these Ordinances.

PUBLIC HEARING DISCUSSION

Tax Exempt for Solar Energy, Chapter 103, Article III

Mr. Livingston asked Atty. Candela if there were mechanical means involved with solar energy systems as described in A1. Discussion followed. Atty. Candela said that he would remove that from the ordinance.

**** MR. LIVINGSTON MOVED TO APPROVE THE AMENDMENTS TO A1 AND B.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. LIVINGSTON MOVED TO FORWARD SECTION 103-3 AS AMENDED TO THE COMMON COUNCIL.**

Atty. Candela explained that this section of the Ordinance, there were outdated and noted that State Statutes had changed.

**** THE MOTION PASSED UNANIMOUSLY.**

Chapter 68 -- Noise Ordinance

- **Section 68-5, Table 2**
- **Section 68-5(C)(13)**
- **Section 68-6(B)(6)**

Atty. Candela gave the new Council Members a brief overview of the history of the noise ordinance and the visits from Mr. Zwelling. The proposed language was submitted to DEEP and they had 20 or so concerns. Atty. Candela reviewed the three major concerns which centered on a reduction of Commercial Sound Level Outdoors from 65 to 63; the operation of a portable generator when there is no emergency need and the noise generated by Construction work or Demolition activities in Residential Zones.

Mr. Livingston said that he felt that regarding the use of the generator should include the phrase "affecting the subject property". Atty. Candela made a note of this.

Mr. Livingston also noticed a scribner's error in 68-5 (C)(13), which Atty. Candela noted.

Mr. Heuvelman asked what would happen if someone did not pay their electric bill and was using the generator instead. Atty. Candela made a note of this regarding the disconnection of power due to non-payment of the bill.

**** MR. LIVINGSTON MOVED THE AMENDMENT TO 68-5 (C)(13) AND SECTION 68-6(B)(6).**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MS. SHANAHAN MOVED TO FORWARD THE FOLLOWING TO THE COMMON COUNCIL AS AMENDED:**

- **SECTION 68-5, TABLE 2**
- **SECTION 68-5(C)(13) AS AMENDED**
- **SECTION 68-6(B)(6) AS AMENDED**

**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC COMMENT

There was no one who wished to address the Committee at this time.

ACCEPTANCE OF MINUTES

• **October 15, 2019.**

**** MR. LIVINGSTON MOVED THE MINUTES OF OCTOBER 15, 2019
** THE MOTION TO APPROVE THE MINUTES OF OCTOBER 15, 2019 AS
SUBMITTED PASSED WITH ONE (1) IN FAVOR AND FOUR (4) ABSTENTION
(KEEGAN, SHANAHAN, HEUVELMAN, AND ROBERTS)**

OLD BUSINESS

There was no old business to consider at this time.

NEW BUSINESS

Discuss and vote on the Ordinance Committee schedule for the 2020 calendar year.

**** MS. SHANAHAN MOVED THE ORDINANCE COMMITTEE SCHEDULE
FOR THE 2020 CALENDAR YEAR.
** THE MOTION TO APPROVE THE ORDINANCE COMMITTEE SCHEDULE
FOR THE 2020 CALENDAR YEAR PASSED UNANIMOUSLY.**

DISCUSSION ITEM:

Mr. Keegan asked for clarification on the process for submitting items for inclusion on the agenda. Mr. Livingston gave the new Council Members a brief overview of the process which is basically to submit the item to the Chair for inclusion. Suggestions for various discussion items came from Staff, Department heads, the local businesses or constituents. Atty. Candela also explained that the City is required to publish the agenda between 7 and 10 days before the meeting.

ADJOURNMENT

**** MR. KEEGAN MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:42 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

City of Norwalk
Ordinance Committee
Regular Meeting
December 17, 2019