

To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at www.norwalkct.gov/meetings.



Members of the public can use a telephone to call in, attend, listen and comment during the meeting. However, they will not be able to see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. For the current meeting, the **meeting ID is 838 8053 7065** and the **call in number is 646-558-8656**. 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.



Upon written request, not less than 24 hours prior to the meeting, a member of the public can request a physical location to attend this virtual meeting at City Hall. Such a member of the public will be provided access to a telephone so that they can attend the meeting in real time. The member of the public can call in, attend, listen and comment during the meeting. Each meeting will use a unique Meeting/Webinar ID (see above). A set of instructions will be left with the telephone for the member of the public to use in order to access the meeting.



Members of the public who wish to "view the meeting live" and/or "provide live comments" can use the Zoom meeting platform by going to either <https://norwalkct-org.zoom.us/j/83880537065> or www.norwalkct.org/meetings and clicking on the "View/Participate Live on Zoom" link that is on the line with the meeting date and time. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" 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.



Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.



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 with the subject line "Public Comment" to provide written public comment prior to the meeting.

COMMON COUNCIL ORDINANCE COMMITTEE
REGULAR MEETING

November 19, 2024
7:00 p.m. – By Videoconference and Teleconference

AGENDA

- 1. ROLL CALL:**
- 2. PUBLIC HEARING (possible action on):**
 - Discuss and vote on Chapter 58A, Blight Prevention, Sections 58A-1 and 58A-4.
 - Discuss and vote on Chapter 90, Department of Operations and Public Works, Sections 90-1 through 90-12.
- 3. PUBLIC HEARING DISCUSSION:**
- 4. PUBLIC COMMENT:**
- 5. ACCEPTANCE OF MINUTES:**
 - October 29, 2024 – special meeting of the ordinance committee
- 6. OLD BUSINESS:**
 - Discuss and vote on Chapter 95, Streets and Sidewalks, Sections 95-0 through 95-39.
- 7. NEW BUSINESS:**
- 8. DISCUSSION ITEM:**
- 9. ADJOURNMENT:**

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing (via Regular Meeting) on Tuesday, November 19, 2024 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Chapter 58A, Blight Prevention, §§ 58A-1 and 58A-4. 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 November 15, 2024.

§ 58A-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BLIGHT PREVENTION OFFICER — The Chief Building Official of the City of Norwalk or his, her or their designee. They shall investigate complaints of Blighted Properties, issue warning letters and citations when appropriate, and explain their findings and actions to the citation hearing officers when necessary.

BLIGHTED PROPERTY — Any building or structure, or any part of a building or structure, or a vacant parcel of land, in which at least one of the following conditions exist:

- A. It is determined by the City's Chief Building Official that existing conditions pose a serious or immediate danger to the community, i.e., a life-threatening condition or a condition that puts at risk the health or safety of citizens of the City.
- B. It is not being adequately maintained; without limitation, the following factors may be considered in determining whether a structure or building is not being adequately maintained: a) missing or boarded windows or doors; b) collapsing or missing roof or exterior walls; c) siding that is seriously damaged or missing; d) fire damage; e) damaged, decaying, or deteriorating condition that could allow vermin or other wildlife interior access; f) a foundation that is structurally faulty; and g) garbage, trash or abandoned motor vehicles situated on the property (unless the property is a junkyard legally licensed by the State of Connecticut).
- C. It has been cited for violations of state statutes and/or state regulations, or City Charter or Code provisions.
- D. It has become a place where criminal activity has taken place as documented by reports of the Norwalk Police Department.
- E. It is a fire hazard as determined by the Fire Marshal or as documented by reports of the Norwalk Fire Department.
- F. It is a factor creating a substantial and unreasonable risk of interference with the reasonable and lawful use and enjoyment of other space within the building or surrounding properties, as documented by complaints or cancellation of insurance on surrounding properties.
- G. It is a factor that is materially depreciating property values.
- H. It contains unauthorized outside storage or accumulation of junk, trash, rubbish, boxes,

paper, plastic, or refuse of any kind or the parking of inoperable motor vehicles, boats, motorcycles or other inoperable machinery on the property or the public right of way. For the purposes of this chapter "authorized" shall pertain to local, state, or federal laws and/or regulations.

- I. It has been vandalized, or otherwise damaged to the extent that it is materially depreciating property values.
- J. It contains a Property Maintenance Violation as defined in this chapter.

COMMERCIAL REAL PROPERTY – any real property used, devoted to, held or leased for commercial use or activity. By way of example and not limitation, commercial use or activity includes buying, selling or leasing goods or services and any other activity carried on with the public, whether or not for profit. The term also includes ancillary real property, such as garages and warehouses.

DISABLED INDIVIDUAL — In the case of an owner-occupied residence, an individual who has a mental or physical disability as defined in the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq., as amended, and does not have other household members capable of providing the maintenance necessary to abate Blighted Properties.

ELDERLY INDIVIDUAL — An individual over the age of 65, who does not have a household member capable of providing the maintenance necessary to abate Blighted Properties.

LOW-INCOME INDIVIDUAL — An individual or a family unit that has an income below the highest level of income established by the State of Connecticut's Elderly Tax Relief Program. This level is in the upper limit of Step 5 as set forth in the CGS § 12-170aa(c), as amended. It is immaterial that a person is or is not elderly for purposes of this definition.

MANAGED NATURAL MEADOW LANDSCAPE — A planned, intentional, and maintained planting of primarily native grasses, wildflowers, ferns, sedges, shrubs, or trees. A Managed Natural Meadow Landscape shall not include Turf Grass that has reached a height greater than nine inches. The provisions of this definition are not intended to allow a property owner to avoid Property Maintenance responsibilities as set forth herein.

PROPERTY MAINTENANCE VIOLATION —

- A. With respect to lots or parcels, the violation of any the following standards:
 - (1) No shopping baskets, carts or wagons shall be left unattended or standing, and the baskets, carts, or wagons shall be collected as often as necessary and removed to an appropriate enclosure intended for such purpose or to the interior of the building or buildings from which they were taken.
 - (2) All fences shall be maintained. Such maintenance shall include, but not be limited to, painting as needed, removal or covering of graffiti, and the replacement or repair of fences which may become in disrepair.
 - (3) Yards, courts, and vacant lots shall be kept clean and free of physical hazards, rodent harborage, and infestation. The owner of the property shall maintain the premises litter-free, and shall remove discarded or inoperative appliances, furnishings, and machinery.
 - (4) All signs exposed to the public view shall be maintained in good repair. Excessively

weathered or faded signs shall be removed or put into good repair. A non-operative or broken electrical or other sign shall be repaired or removed.

- (5) All places of business that serve food or drink to patrons (e.g., restaurants, cafes, bars, etc.) shall maintain receptacle(s) for the disposal of cigarettes on their premises and shall empty the receptacle(s) on a regular basis.
- (6) No dumpster or other refuse container usually used on a construction site may be kept in a residential area unless for a construction or improvement project (which may include the disposal of household items) that is to commence within two weeks of the placing of a dumpster on the premises, provided that such dumpster or other refuse container may not be kept on the premises more than two weeks after the completion of the project.

B. With respect to buildings and structures, the violation of any of the following standards:

- (1) The exterior of a building or structure shall be maintained so that it is not dilapidated, deteriorating, or decaying, nor open to the elements. The following factors may be considered in determining whether a building or structure is being maintained: a) missing or boarded windows or doors; b) collapsing or missing roof or exterior walls; c) exterior walls that contain holes, breaks, loose or rotting materials or the presence of graffiti, or exterior walls that are not properly surface-coated to prevent deterioration; d) siding that is seriously damaged or missing; e) foundation walls that contain open cracks or leaks or are structurally faulty; f) overhang extensions, including but not limited to, canopies, signs, awnings, stairways, fire escapes, standpipes, and exhaust ducts, that contain rust or other decay; and g) chimneys and other appurtenances that are in a state of disrepair.
- (2) The foundation walls of every building shall be maintained in good repair and in a structurally sound condition.
- (3) Foundations, floors, and walls shall be in good painted or finished condition.
- (4) Exterior walls (including doors and windows), roofs, and the areas around doors, windows, chimneys and other parts of a building shall be maintained as to keep water from entering the building and to prevent undue heat loss from occupied areas. Materials that have been damaged or show evidence of dry rot or other deterioration shall be repaired or replaced and refinished in a workmanlike manner. Exterior walls, roofs and other parts of the building shall be free from loose and unsecured objects and material. Such objects and materials shall be removed, repaired, or replaced.
- (5) Buildings and structures shall be maintained free of insect, vermin, bird, rodent, and other wildlife harborage and infestation.
- (6) Buildings and structures shall be maintained in a clean and sanitary condition free from health, safety, and fire hazards.
- (7) All storefronts, both occupied and nonoccupied, and their walls exposed to public view shall be kept in a good state of repair and free of graffiti.

C. Property Maintenance Violations shall also include:

- (1) Any conditions that unreasonably hinder the use of adjacent properties, block or

interference with the use of the public sidewalk and/or public or private street or right-of-way, or obstruct the sighting of any road sign, obstruct utility lines or other cables to or around the premises, or extend or infringe beyond the boundaries of the premises; and

- (2) Situations in which the overall condition of the premises causes an unreasonable impact on the enjoyment of or value of surrounding properties.

TURF GRASS — A grass commonly used in regularly cut lawns or play areas (such as, but not limited to, bluegrass, fescue, and ryegrass blends), maintained in accordance with this chapter.

§ 58A-4. Warnings; citations; hearings; fines.

- A. The Blight Prevention Officer shall issue a written warning notifying the property owner of a violation of this chapter. Said warning shall detail each violation and the corrective action necessary, and shall provide a reasonable amount of time for the property owner to correct the violation.
- B. If the property owner does not correct the violation within the time period stated in the written warning, the Blight Prevention Officer shall issue a citation to the property owner. Said citation shall be issued not sooner than 15 days after the deadline to correct the violation stated in the written warning. ~~The citation shall assess-~~
 - (1) The citation assessments shall be as follows:
 - (a) For housing blight upon real property containing six or fewer dwelling units a fine of \$150 per day for ~~each every~~-day the violation continues if such violation occurs at an occupied property; \$250 per day for ~~each every~~-day the violation continues if such violation occurs at a vacant property; and \$1,000 per day for ~~each every~~-day the violation continues if such violation is the third or more such violation at such property during the prior twelve-month period.
 - (b) For housing blight upon real property containing more than six but fewer than forty dwelling units, ten cents per square foot of each residential building upon such real property for each day that a violation continues.
 - (c) For housing blight upon real property containing forty or more dwelling units, twelve cents per square foot of each residential building upon such real property for each day that a violation continues.
 - (d) For blight upon any Commercial Real Property, ten cents per square foot of any commercial building upon such real property for each day that a violation continues.
- C. Any unpaid fine pursuant to this ~~e~~Chapter shall constitute a lien upon the real estate against which the fine was imposed in accordance with CGS § 7-148aa, as amended. Such lien shall be continued, recorded, enforced and released in accordance with CGS § 7-148aa, as amended.
- 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.

- E. Fines collected pursuant to this section shall be deposited into a separate fund to be used for expenses related to the enforcement and abatement of blight within the City of Norwalk.

Dated at Norwalk, Connecticut this _____ day of October 2024.

ATTEST: _____
Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, November 8, 2024

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing (via Regular Meeting) on Tuesday, November 19, 2024, at 7:00 PM, of videoconference/teleconference for the purpose of discussing and voting on Chapter 58A, Blight Prevention, §§ 58A-1 and 58A-2, and the agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference posted on the City website by November 15, 2024.

§ 58A-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BLIGHT PREVENTION OFFICER — The Chief Building Official of the City of Norwalk or his, her or their designee. They shall issue warning letters and citations when appropriate, and explain their findings and actions to the citation hearing officers when requested.

BLIGHTED PROPERTY — Any building or structure, or any part of a building or structure, or a vacant parcel of land, in which

- A. It is determined by the City's Chief Building Official that existing conditions pose a serious or immediate danger to life or a condition that puts at risk the health or safety of citizens of the City.
- B. It is not being adequately maintained; without limitation, the following factors may be considered in determining if a property is adequately maintained: a) missing or boarded windows or doors; b) collapsing or missing roof or exterior walls; c) fire damage; d) fire damage; e) damaged, decaying, or deteriorating condition that could allow vermin or other wildlife interior access; f) garbage, trash or abandoned motor vehicles situated on the property (unless the property is a junkyard legally licensed by the state); g) It has been cited for violations of state statutes and/or state regulations, or City Charter or Code provisions.
- C. It has become a place where criminal activity has taken place as documented by reports of the Norwalk Police Department.
- D. It is a fire hazard as determined by the Fire Marshal or as documented by reports of the Norwalk Fire Department.
- E. It is a factor creating a substantial and unreasonable risk of interference with the reasonable and lawful use and enjoyment of surrounding properties, as documented by complaints or cancellation of insurance on surrounding properties.
- F. It is a factor that is materially depreciating property values.
- G. It contains unauthorized outside storage or accumulation of junk, trash, rubbish, boxes, paper, plastic, or refuse containers, vehicles, boats, motorcycles or other inoperable machinery on the property or the public right of way. For the purpose of this definition, local, state, or federal laws and/or regulations.
- H. It has been vandalized, or otherwise damaged to the extent that it is materially depreciating property values.
- I. It contains a Property Maintenance Violation as defined in this chapter.

COMMERCIAL REAL PROPERTY — any real property used, devoted to, held or leased for commercial use or activity. By way of example, but not limitation, commercial real property includes buying, selling or leasing goods or services and any other activity carried on with the public, whether or not the property, such as garages and warehouses.

DISABLED INDIVIDUAL — In the case of an owner-occupied residence, an individual who has a mental or physical disability as defined in the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq., as amended, and does not have other household members capable of providing care for the individual.

ELDERLY INDIVIDUAL — An individual over the age of 65, who does not have a household member capable of providing care for the individual.

LOW-INCOME INDIVIDUAL — An individual or a family unit that has an income below the highest level of income established by the City of Norwalk Low-Income Program. This level is in the upper limit of Step 5 as set forth in the CGS § 12-170aa(c), as amended. It is immaterial that a person is not a resident of the City of Norwalk.

MANAGED NATURAL MEADOW LANDSCAPE — A planned, intentional, and maintained planting of primarily native grasses and forbs. A Managed Natural Meadow Landscape shall not include Turf Grass that has reached a height greater than nine inches. The purpose of a Managed Natural Meadow Landscape is to allow a property owner to avoid Property Maintenance responsibilities as set forth herein.

PROPERTY MAINTENANCE VIOLATION —

- A. With respect to lots or parcels, the violation of any the following standards:
 - (1) No shopping baskets, carts or wagons shall be left unattended or standing, and the baskets, carts, or wagons shall be removed to an appropriate enclosure intended for such purpose or to the interior of the building or buildings if the building or buildings are located on the lot or parcel.
 - (2) All fences shall be maintained. Such maintenance shall include, but not be limited to, painting as needed, removal of damaged sections, and repair of fences which may become in disrepair.
 - (3) Yards, courts, and vacant lots shall be kept clean and free of physical hazards, rodent harborage, and infestation. The premises shall be litter-free, and shall remove discarded or inoperative appliances, furnishings, and machinery.
 - (4) All signs exposed to the public view shall be maintained in good repair. Excessively weathered or faded signs shall be repainted or replaced. Non-operative or broken electrical or other signs shall be repaired or removed.

Legal Notice of Public Hearing

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- (4) All signs exposed to the public view shall be maintained in good repair. Excessively weathered or faded signs shall be repaired or removed.
- (5) All places of business that serve food or drink to patrons (e.g., restaurants, cafes, bars, etc.) shall maintain receptacles on their premises and shall empty the receptacle(s) on a regular basis.
- (6) No dumpster or other refuse container usually used on a construction site may be kept in a residential area unless it is properly screened (which may include the disposal of household items) that is to commence within two weeks of the placing of a dumpster or other refuse container may not be kept on the premises more than two weeks after the completion of the project.

B. With respect to buildings and structures, the violation of any of the following standards:

- (1) The exterior of a building or structure shall be maintained so that it is not dilapidated, deteriorating, or decaying. Factors may be considered in determining whether a building or structure is being maintained: a) missing or broken roof or exterior walls; b) exterior walls that contain holes, breaks, loose or rotting materials or the presence of improperly surface-coated to prevent deterioration; c) siding that is seriously damaged or missing; foundation walls that are structurally faulty; overhang extensions, including but not limited to, canopies, signs, awnings, stairways, fire escapes, and other appurtenances that contain rust or other decay; and d) chimneys and other appurtenances that are in a state of disrepair.
- (2) The foundation walls of every building shall be maintained in good repair and in a structurally sound condition.
- (3) Foundations, floors, and walls shall be in good painted or finished condition.
- (4) Exterior walls (including doors and windows), roofs, and the areas around doors, windows, chimneys and other parts shall keep water from entering the building and to prevent undue heat loss from occupied areas. Materials that have been damaged or other deterioration shall be repaired or replaced and refinished in a workmanlike manner. Exterior walls, roofs and other parts shall be free from loose and unsecured objects and material. Such objects and materials shall be removed, repaired, or replaced.
- (5) Buildings and structures shall be maintained free of insect, vermin, bird, rodent, and other wildlife harborage and infestation.
- (6) Buildings and structures shall be maintained in a clean and sanitary condition free from health, safety, and fire hazards.
- (7) All storefronts, both occupied and nonoccupied, and their walls exposed to public view shall be kept in a good state of repair.

C. Property Maintenance Violations shall also include:

- (1) Any conditions that unreasonably hinder the use of adjacent properties, block or interfere with the use of the street or right-of-way, or obstruct the sighting of any road sign, obstruct utility lines or other cables to or around the boundaries of the premises; and
- (2) Situations in which the overall condition of the premises causes an unreasonable impact on the enjoyment of or view of the premises.

TURF GRASS — A grass commonly used in regularly cut lawns or play areas (such as, but not limited to, bluegrass, fescue, and rye) shall be maintained in accordance with this chapter.

§ 58A-4. Warnings; citations; hearings; fines.

- A. The Blight Prevention Officer shall issue a written warning notifying the property owner of a violation of this chapter. Said warning shall specify the corrective action necessary, and shall provide a reasonable amount of time for the property owner to correct the violation.
- B. If the property owner does not correct the violation within the time period stated in the written warning, the Blight Prevention Officer shall issue a citation. Said citation shall be issued not sooner than 15 days after the deadline to correct the violation stated in the written warning.
- (1) The citation assessments shall be as follows:
 - (a) For housing blight upon real property containing six or fewer dwelling units a fine of \$150 per day for each day the violation continues if such violation occurs at an occupied property; \$250 per day for each day the violation continues if such violation occurs at an unoccupied property; and \$100 per day for each day the violation continues if such violation is the third or more such violation at such property during the calendar year.
 - (b) For housing blight upon real property containing more than six but fewer than forty dwelling units, ten cents per square foot of such real property for each day that a violation continues.
 - (c) For housing blight upon real property containing forty or more dwelling units, twelve cents per square foot of such real property for each day that a violation continues.
 - (d) For blight upon any Commercial Real Property, ten cents per square foot of any commercial building upon such real property for each day that a violation continues.
- C. Any unpaid fine pursuant to this Chapter shall constitute a lien upon the real estate against which the fine was imposed if the fine is not paid within the time period stated in the citation. Such lien shall be continued, recorded, enforced and released in accordance with CGS § 7-148aa, as amended.
- D. The Mayor shall appoint one or more citation hearing officers other than police officers, City employees, or the Blight Prevention Officer. The citation hearing officer shall be a member, in good standing, of the Connecticut Bar Association. Issuance and enforcement of citations and appeals to the Connecticut Superior Court shall be governed by Section 7-152c of the Connecticut General Statutes.
- E. Fines collected pursuant to this section shall be deposited into a separate fund to be used for expenses related to the enforcement of this chapter by the City of Norwalk.

Dated at Norwalk, Connecticut this _____ day of October 2024.

ATTEST: _____
Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, November 8, 2024

the public view shall be maintained in good repair. Excessively weathered or faded signs shall be removed or put into good repair. Any electrical or other sign shall be repaired or removed.

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refuse container usually used on a construction site may be kept in a residential area unless for a construction or improvement project (the disposal of household items) that is to commence within two weeks of the placing of a dumpster on the premises, provided that the refuse container may not be kept on the premises more than two weeks after the completion of the project.

structures, the violation of any of the following standards:

Building or structure shall be maintained so that it is not dilapidated, deteriorating, or decaying, nor open to the elements. The following shall be considered in determining whether a building or structure is being maintained: a) missing or boarded windows or doors; b) collapsing or exterior walls; c) exterior walls that contain holes, breaks, loose or rotting materials or the presence of graffiti, or exterior walls that are not treated to prevent deterioration; d) siding that is seriously damaged or missing; foundation walls that contain open cracks or leaks or overhang extensions, including but not limited to, canopies, signs, awnings, stairways, fire escapes, standpipes, and exhaust ducts, or other decay; and g) chimneys and other appurtenances that are in a state of disrepair.

Every building shall be maintained in good repair and in a structurally sound condition.

Exterior walls and walls shall be in good painted or finished condition.

Roofing doors and windows), roofs, and the areas around doors, windows, chimneys and other parts of a building shall be maintained as to prevent the building and to prevent undue heat loss from occupied areas. Materials that have been damaged or show evidence of dry rot shall be repaired or replaced and refinished in a workmanlike manner. Exterior walls, roofs and other parts of the building shall be free of debris, objects and material. Such objects and materials shall be removed, repaired, or replaced.

Structures shall be maintained free of insect, vermin, bird, rodent, and other wildlife harborage and infestation.

Structures shall be maintained in a clean and sanitary condition free from health, safety, and fire hazards.

Occupied and nonoccupied, and their walls exposed to public view shall be kept in a good state of repair and free of graffiti.

Violations shall also include:

Violations shall unreasonably hinder the use of adjacent properties, block or interfere with the use of the public sidewalk and/or public or private road, or obstruct the sighting of any road sign, obstruct utility lines or other cables to or around the premises, or extend or infringe beyond the premises; and

The overall condition of the premises causes an unreasonable impact on the enjoyment of or value of surrounding properties.

Lawns shall be maintained in regularly cut lawns or play areas (such as, but not limited to, bluegrass, fescue, and ryegrass blends), maintained in accordance with the following standards:

Fines; fines.

The Board shall issue a written warning notifying the property owner of a violation of this chapter. Said warning shall detail each violation and the Board shall provide a reasonable amount of time for the property owner to correct the violation.

If the property owner does not correct the violation within the time period stated in the written warning, the Blight Prevention Officer shall issue a citation to the property owner not sooner than 15 days after the deadline to correct the violation stated in the written warning.

Citations shall be as follows:

For violations upon real property containing six or fewer dwelling units a fine of \$150 per day for each day the violation continues if such violation occurs upon occupied property; \$250 per day for each day the violation continues if such violation occurs at a vacant property; and \$1,000 per day for each day the violation continues if such violation is the third or more such violation at such property during the prior twelve-month period.

For violations upon real property containing more than six but fewer than forty dwelling units, ten cents per square foot of each residential building upon such real property for each day that a violation continues.

For violations upon real property containing forty or more dwelling units, twelve cents per square foot of each residential building upon such real property for each day that a violation continues.

For violations upon Commercial Real Property, ten cents per square foot of any commercial building upon such real property for each day that a violation continues.

This Chapter shall constitute a lien upon the real estate against which the fine was imposed in accordance with CGS § 7-148aa, as amended, continued, recorded, enforced and released in accordance with CGS § 7-148aa, as amended.

For more citation hearing officers other than police officers, City employees, or the Blight Prevention Officer, to conduct citation appeal hearing, the Blight Prevention Officer shall be a member, in good standing, of the Connecticut Bar Association. Issuance and service of citations, payment of fines, and citation hearing shall be governed by Section 7-152c of the Connecticut General Statutes, as amended.

A separate section shall be deposited into a separate fund to be used for expenses related to the enforcement and abatement of blight within the jurisdiction of the Board.

Section 7-152c shall be amended to read:

on Friday, November 8, 2024

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing (via Regular Meeting) on Tuesday, November 19, 2024 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Chapter 90, Department of Operations and Public Works, §§ 90-1 through 90-12. 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 November 15, 2024.

CHAPTER 90

DEPARTMENT OF OPERATIONS AND PUBLIC WORKS

§ 90-1. Establishment and functions.

There is established a Department of Operations and Public Works (the "Department") which was formerly known as the "Department of Public Works," the functions of which shall include:

- A. The maintenance and repair of all accepted streets and appurtenances and of public ways and public grounds not under the supervision of others.
- B. The collection and disposal of solid waste in accordance with state statutes.
- C. The management and operation of the wastewater treatment plant and collection system. The Chief of Operations and Public Works, who was formerly known as the "Director of Public Works," shall have responsibility, charge, jurisdiction, rights and powers to perform all duties relating to the supervision, operation, repair, maintenance and upkeep of the wastewater system of the City. He/she/They shall, subject to the orders and directions of the Water Pollution Control Authority, have charge of the sewer system of the Fourth Taxing District and of the care and maintenance thereof and of the construction of all new sewers.
- D. The preparation of or assistance in the preparation of plans and specifications for bidding the construction, demolition, repair, renovation or rehabilitation of municipal improvements and all manner of public works projects carried out by the City.
- E. Collaboration with the Department of Transportation, Mobility and Parking, and all other relevant departments, on the supervision and coordination of public improvements carried out by contract with the City related to the planning, design, construction and maintenance of the Mobility System. The supervision and coordination of all other public improvements carried out by contract ~~to~~ with the City ~~of Norwalk~~ and the performance, direction or inspection of actual conduct of all construction work related to such other public improvements by or on behalf of the City. For purposes of this Chapter, the term "Mobility System" shall have the meaning set forth in the Complete Streets ordinance, as amended from time to time (the "Complete Streets Ordinance").

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- F. The prevention of encroachment and excavations in the public streets and highways, except in accordance with duly adopted law and regulation.
- G. The development and administration of a comprehensive program of fleet maintenance services for all City departments, agencies and commissions, with the exception of the Fire Department. The program shall include the acquisition, assignment, disposition, sale and modification of all equipment and related parts and supplies. Acquisition and assignment of police vehicles shall be the responsibility of the Police Department. Acquisition and assignment of parks maintenance vehicles and equipment shall be the responsibility of this Department.
- H. The control, development, operation and maintenance of a system of public parks and recreational areas and facilities, ~~including and the operation and maintenance of~~ narrow parkways, boulevard strips, ~~trails~~ and small areas along streets, now in existence or that may hereafter be acquired; ~~and, except that~~ the control, development, management, operation and maintenance of the Oak Hills Park and all other matters relating thereto shall be ~~under a separate department~~, as provided by ~~separate~~ ordinance. ~~Said The~~ Department shall be charged with the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except school buildings and structures under the jurisdiction of the Board of Education, and the water pollution control plants, pump stations and the solid waste transfer station.
- I. The maintenance of playgrounds, playfields, bathing beaches, swimming pools, recreation centers and other recreation and park activities, areas and facilities.
- J. May plan, set up or place and protect and care for flowers, vines, shrubs and trees to adorn and improve public squares, grounds, boulevards, streets, avenues or spaces within the City.
- K. Shall recommend to the Common Council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the City for the purposes of the Department.
- L. Shall have the right to call upon any other department of the City government for assistance in performing its duties, and it shall be the duty of such other departments to comply with a proper request of said Department. Any questions as to what shall constitute a proper request for assistance shall be decided by the Mayor.
- M. Collaborating with the Department of Transportation, Mobility and Parking, and other relevant departments, in the planning, design, construction, and maintenance of the City's Mobility System in a manner consistent with the Complete Streets Ordinance.

§ 90-2. Chief of Operations and Public Works.

The head of the Department of Operations and Public Works shall be the Chief of Operations and Public Works, who shall be appointed by the Mayor, subject to confirmation by the Common Council, and may be removed by the Mayor at his/her/their discretion. The Chief shall have had at least five years of applicable executive or administrative experience prior to appointment. Their/His/her compensation shall be fixed by ordinance. He/she shall be licensed to practice professional engineering in the State of Connecticut or shall become certified to do so within six months of assuming the position of Chief of Operations and Public Works. He/she/They shall have all the powers and duties hitherto conferred or imposed by law, ordinance or Charter provision on the Commissioner-Chief of Operations and Public Works and such other duties as may be required of him/her-them by ordinance.

§ 90-3. Staff.

The Chief is authorized to employ, in compliance with all existing procedures, all necessary assistants and staff for the carrying out of the duties imposed upon him/her/them by this Code/Chapter.

§ 90-4. Approval of rates and fees.

- A. The Chief shall, with the concurrence of the Common Council, make and alter, from time to time, rates, fines, penalties and fees with respect to operations of the Department. The Chief shall establish rates, fines, penalties and fees to be charged for the various departmental services and functions and shall submit same, hereinafter referred to as the "Fee Schedule," to the Public Works Committee of the Common Council, or its successor, which shall hold a public hearing. Public notice of the public hearing shall be consistent with the Charter of the City of Norwalk, thereon within 30 days. Said public hearing shall be held upon no less than seven nor more than 14 days' notice of the time and place of such hearing, published in the form of a legal advertisement appearing in a newspaper having substantial circulation in the City manner provided in the Charter of the City of Norwalk. Within 30 days of receipt by the City Clerk of notice of the action taken by the Public Works Committee subsequent to such public hearing, the Common Council shall act upon the Fee Schedule. If the Council takes no action within such 30 days, the Fee Schedule shall be deemed approved, and the City Clerk shall issue a notice so stating, which shall be maintained with the records of the Common Council. If the Council votes to disapprove all or a portion of the Fee Schedule, it may itself establish any of such rates, fees, charges or penalties, or may ask the Chief to submit revised proposals to the Common Council to be acted on in accordance with this section.
- B. The Chief shall recommend to the Water Pollution Control Authority rates, fines, penalties and fees, or alterations to same, with respect to operations of the wastewater collection and treatment system. The Chief shall organize proposed rates, fines, penalties and fees to be charged for the various system services and functions, or alterations to same, into the Fee Schedule and submit same to the Water Pollution Control Authority, which shall hold a public hearing. Public notice of the public hearing shall be consistent with the Charter of the City of Norwalk, thereon within 30 days. Said public hearing shall be held upon no less than seven nor more than 14 days' notice of the time and place of such hearing, published in the form of a legal advertisement appearing in a newspaper having substantial circulation in the

~~Citymanner provided in the Charter of the City of Norwalk.~~ If the Water Pollution Control Authority votes to disapprove all or a portion of the Fee Schedule, it may ~~itself establish any of such rates, fees, charges or penalties, or may~~ ask the Chief to submit revised proposals to the ~~Common Council~~ Water Pollution Control Authority to be acted on in accordance with this section. The Chief shall implement the approved Fee Schedule.

- C. The approved Fee Schedules, as they may be modified from time to time in accordance with the procedure set forth in this section, shall be ~~posted at~~ available on the City website and in the offices of the City Clerk and the Department of Operations and Public Works at all times and shall be made available for distribution to persons requesting same.

§ 90-5. Principal Engineer.

The Chief shall employ and maintain, as a regular employee, a Principal Engineer of the Department, who shall be a qualified professional civil engineer with at least five years of experience with the design or construction of public works, highways, public utilities and municipal improvements. ~~He/she/They~~ shall be licensed to practice in the State of Connecticut or shall become certified to do so within six months of assuming the position of Principal Engineer. Said Engineer shall provide professional assistance to the Chief concerning engineering projects and shall supervise the Department's engineering and construction administration staff at the direction of the Chief.

§ 90-6. Duties and responsibilities of Chief.

- A. The Chief shall cause to be made and prepared all surveys, maps, profiles, calculations, construction documents, drawings and specifications required for the use of the City and shall cause to be performed all surveying and engineering services which may be required of ~~him/her/them~~ by the Common Council and by each and every department, authority, commission or agency of ~~the~~ City government; provided, however, that the Chief shall not perform or cause to be performed engineering services on behalf of any other department if such engineering services are approved by a qualified professional civil engineer, licensed to practice in the State of Connecticut, where the department managing the project has authorized such approval and where the Principal Engineer has been given an opportunity to review and provide comment. The Chief shall collaborate with and support engineering services required, rendered and/or approved by other City departments.
- B. The Chief shall have the care and custody of all maps and plans of the public works and improvements of the City.
- C. It shall be the duty of the Chief to record, and keep in such manner that they can easily be examined, all surveys and layouts of streets, sewers and public works for which a manuscript, survey or layout is adopted by the Common Council.
- D. It shall be the responsibility of the Chief, in collaboration with the Department of Transportation, Mobility and Parking, to establish and prepare the necessary standard construction specifications, design standards and manuals required for the planning, design,

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construction and maintenance of the Mobility System in a manner consistent with the Complete Streets Ordinance. It shall also be the responsibility of the Chief to establish and prepare all other necessary standard construction specifications, design standards and manuals required for the operations of the Department, the wastewater collection and treatment system and the parking system, subject to the concurrence of the Public Works Committee of the Common Council, the Water Pollution Control Authority or the Parking Authority.

- E. The Chief shall be charged with the control, development, operation and maintenance of a system of public parks and recreational areas and facilities now in existence or that may hereafter be acquired as further explained in the City Code, including § 90-1 and § 74-23 through § 74-27.

§ 90-7. Recordkeeping requirements.

- A. The Chief shall keep a written record of all permits and licenses granted under Chapters 90 through 99 of the Code, and such written record shall at all times be open to inspection.
- B. The Chief shall keep a detailed and properly classified account of all expenses in his/her Department, which shall at all times be open to inspection.
- C. The Chief shall at the end of each fiscal year complete a report in writing to the Common Council of all work done and money expended under his/her direction during such period.
- D. The Chief shall keep a record of complaints made by the public, and shall enter therein all complaints made to him/her concerning streets, highways, sidewalks, gutters, parking facilities, wastewater collection and treatment facilities and public places, and any breach of Chapters 90 through 99 of this Code, together with the action taken by him/her/them with respect thereto.

§ 90-8. (Reserved)

§ 90-9. Effect on taxing districts.

Nothing in §§ 90-1 through 90-8 shall be construed to affect the buildings, structures and properties belonging to the First, Second, Third or Sixth Taxing Districts of said the City or their management and operation. When, in the judgment of the Chief, public safety is or may be adversely affected by work to be performed by the taxing districts, the Chief may at his/her/their discretion make the requirements of this Chapter and any other appropriate chapter provision of the Code applicable to such taxing district.

§ 90-10. Interference with personnel.

No person shall resist, molest, interfere with or disobey the Chief or his/her/their assistants while engaged in the duty of keeping the streets, sidewalks and public places of the City open and free from obstruction by vehicles, crowds, groups of persons or otherwise.

§ 90-11. Severability.

If any provision, clause or phrase of this Chapter 90 is adjudged by any court of competent jurisdiction to be invalid or if the applicability thereof to any persons or circumstances is held invalid, such judgment shall not invalidate the remainder, and the applicability thereof to other persons or circumstances shall not be affected thereby.

§ 90-12. Repealer.

Any provisions of the Code of the City of Norwalk inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency.

Dated at Norwalk, Connecticut this _____ day of October 2024.

ATTEST: _____

Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, November 8, 2024

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing (via Regular Meeting) on Tuesday, November 12, 2024, at 7:00 PM, for the purpose of discussing and voting on Chapter 90, Department of Operations and Public Works, §§ 90-1 through 90-4. The Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/Zoom will be posted on the City website by November 15, 2024.

CHAPTER 90

DEPARTMENT OF OPERATIONS AND PUBLIC WORKS

§ 90-1. Establishment and functions.

There is established a Department of Operations and Public Works (the "Department") which was formerly known as the "Department of Public Works" which shall include:

- A. The maintenance and repair of all accepted streets and appurtenances and of public ways and public grounds not under the supervisor of the Department.
- B. The collection and disposal of solid waste in accordance with state statutes.
- C. The management and operation of the wastewater treatment plant and collection system. The Chief of Operations and Public Works, or the "Director of Public Works," shall have responsibility, charge, jurisdiction, rights and powers to perform all duties relating to the supervision, operation and upkeep of the wastewater system of the City. They shall, subject to the orders and directions of the Water Pollution Control Authority, have jurisdiction of the Fourth Taxing District and of the care and maintenance thereof and of the construction of all new sewers.
- D. The preparation of or assistance in the preparation of plans and specifications for bidding the construction, demolition, repair, renovation and improvements and all manner of public works projects carried out by the City.
- E. Collaboration with the Department of Transportation, Mobility and Parking, and all other relevant departments, on the supervision and coordination of public improvements carried out by contract with the City related to the planning, design, construction and maintenance of the Mobility System. The supervisor of public improvements carried out by contract with the City and the performance, direction or inspection of actual conduct of all construction of public improvements by or on behalf of the City. For purposes of this Chapter, the term "Mobility System" shall have the meaning set forth in the ordinance, as amended from time to time (the "Complete Streets Ordinance").
- F. The prevention of encroachment and excavations in the public streets and highways, except in accordance with duly adopted law and regulations.
- G. The development and administration of a comprehensive program of fleet maintenance services for all City departments, agencies and offices, including the Fire Department. The program shall include the acquisition, assignment, disposition, sale and modification of all equipment and vehicles. Acquisition and assignment of police vehicles shall be the responsibility of the Police Department. Acquisition and assignment of police equipment shall be the responsibility of this Department.
- H. The control, development, operation and maintenance of a system of public parks and recreational areas and facilities, and the operation and maintenance of the Oak Hills Park and all other matters relating thereto shall be as provided by separate ordinance. The Department shall have jurisdiction with the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except school buildings, which shall be under the jurisdiction of the Board of Education, and the water pollution control plants, pump stations and the solid waste transfer station.
- I. The maintenance of playgrounds, playfields, bathing beaches, swimming pools, recreation centers and other recreation and park activities.
- J. May plan, set up or place and protect and care for flowers, vines, shrubs and trees to adorn and improve public squares, grounds, boulevards and other areas within the City.
- K. Shall recommend to the Common Council the institution of condemnation proceedings whenever, in its judgment, private property should be acquired for the purposes of the Department.
- L. Shall have the right to call upon any other department of the City government for assistance in performing its duties, and it shall be the duty of such department to comply with a proper request of said Department. Any questions as to what shall constitute a proper request for assistance shall be decided by the Common Council.
- M. Collaborating with the Department of Transportation, Mobility and Parking, and other relevant departments, in the planning, design, construction and operation of the City's Mobility System in a manner consistent with the Complete Streets Ordinance.

§ 90-2. Chief of Operations and Public Works.

The head of the Department of Operations and Public Works shall be the Chief of Operations and Public Works, who shall be appointed by the Mayor and confirmed by the Common Council, and may be removed by the Mayor at their discretion. The Chief shall have had at least five years of administrative experience prior to appointment. Their compensation shall be fixed by ordinance. They shall have all the powers and duties provided by law, ordinance or Charter provision on the Chief of Operations and Public Works and such other duties as may be required of them by ordinance.

§ 90-3. Staff.

The Chief is authorized to employ, in compliance with all existing procedures, all necessary assistants and staff for the carrying out of the duties of the Department.

§ 90-4. Approval of rates and fees.

- A. The Chief shall, with the concurrence of the Common Council, make and alter, from time to time, rates, fines, penalties and fees within the Department. The Chief shall establish rates, fines, penalties and fees to be charged for the various departmental services and functions and shall refer to as the "Fee Schedule," to the Public Works Committee of the Common Council, or its successor, which shall hold a public hearing on the Fee Schedule.

Legal Notice of Public Hearing

On Council Ordinance Committee will hold a Public Hearing (via Regular Meeting) on Tuesday, November 19, 2024 at 7:00 p.m. by way of the purpose of discussing and voting on Chapter 90, Department of Operations and Public Works, §§ 90-1 through 90-12. Please check additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance on the City website by November 15, 2024.

CHAPTER 90

DEPARTMENT OF OPERATIONS AND PUBLIC WORKS

Operations and Public Works (the "Department") which was formerly known as the "Department of Public Works," the functions of accepted streets and appurtenances and of public ways and public grounds not under the supervision of others. and waste in accordance with state statutes.

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in the preparation of plans and specifications for bidding the construction, demolition, repair, renovation or rehabilitation of municipal public works projects carried out by the City.

of Transportation, Mobility and Parking, and all other relevant departments, on the supervision and coordination of public improvements ly related to the planning, design, construction and maintenance of the Mobility System. The supervision and coordination of all other y contract with the City and the performance, direction or inspection of actual conduct of all construction work related to such other half of the City. For purposes of this Chapter, the term "Mobility System" shall have the meaning set forth in the Complete Streets to time (the "Complete Streets Ordinance").

and excavations in the public streets and highways, except in accordance with duly adopted law and regulation.

on of a comprehensive program of fleet maintenance services for all City departments, agencies and commissions, with the exception ram shall include the acquisition, assignment, disposition, sale and modification of all equipment and related parts and supplies. Police vehicles shall be the responsibility of the Police Department. Acquisition and assignment of parks maintenance vehicles and lity of this Department.

on and maintenance of a system of public parks and recreational areas and facilities, and the operation and maintenance of, narrow and small areas along streets, now in existence or that may hereafter be acquired, except that the control, development, management, Oak Hills Park and all other matters relating thereto shall be as provided by separate ordinance. The Department shall be charged repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except school buildings and structures under the ion, and the water pollution control plants, pump stations and the solid waste transfer station.

playfields, bathing beaches, swimming pools, recreation centers and other recreation and park activities, areas and facilities.

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Council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the tment.

by other department of the City government for assistance in performing its duties, and it shall be the duty of such other departments said Department. Any questions as to what shall constitute a proper request for assistance shall be decided by the Mayor.

it of Transportation, Mobility and Parking, and other relevant departments, in the planning, design, construction, and maintenance of inner consistent with the Complete Streets Ordinance.

Public Works.

ions and Public Works shall be the Chief of Operations and Public Works, who shall be appointed by the Mayor, subject to and may be removed by the Mayor at their discretion. The Chief shall have had at least five years of applicable executive or ointment. Their compensation shall be fixed by ordinance. They shall have all the powers and duties hitherto conferred or imposed by the Chief of Operations and Public Works and such other duties as may be required of them by ordinance.

ompliance with all existing procedures, all necessary assistants and staff for the carrying out of the duties imposed upon them by this

ence of the Common Council, make and alter, from time to time, rates, fines, penalties and fees with respect to operations of the ish rates, fines, penalties and fees to be charged for the various departmental services and functions and shall submit same, hereinafter to the Public Works Committee of the Common Council, or its successor, which shall hold a public hearing. Public notice of the public

§ 30-4. Approval of rates and fees.

- B. The Chief shall recommend to the Water Pollution Control Authority rates, fines, penalties and fees, or alterations to same, with respect to collection and treatment system. The Chief shall organize proposed rates, fines, penalties and fees to be charged for the various alterations to same, into the Fee Schedule and submit same to the Water Pollution Control Authority, which shall hold a public hearing. The Chief shall be consistent with the Charter of the City of Norwalk. If the Water Pollution Control Authority votes to disapprove all or a portion of the Chief's recommendations, the Chief shall submit revised proposals to the Water Pollution Control Authority to be acted on in accordance with this section. The Chief shall submit the Fee Schedule.
- C. The approved Fee Schedules, as they may be modified from time to time in accordance with the procedure set forth in this section, shall be maintained in the offices of the City Clerk and the Department of Operations and Public Works at all times and shall be made available for public inspection.

§ 90-5. Principal Engineer.

The Chief shall employ and maintain, as a regular employee, a Principal Engineer of the Department, who shall be a qualified professional engineer with at least ten (10) years of experience with the design or construction of public works, highways, public utilities and municipal improvements. They shall be licensed by the State of Connecticut or shall become certified to do so within six months of assuming the position of Principal Engineer. Said Engineer shall prepare and approve all plans and specifications for all public works projects and shall supervise the Department's engineering and construction administration staff at the direction of the Chief.

§ 90-6. Duties and responsibilities of Chief.

- A. The Chief shall cause to be made and prepared all surveys, maps, profiles, calculations, construction documents, drawings and specifications and shall cause to be performed all surveying and engineering services which may be required of them by the Common Council in authority, commission or agency of City government; provided, however, that the Chief shall not perform or cause to be performed any other department if such engineering services are approved by a qualified professional civil engineer, licensed to practice in the department managing the project has authorized such approval and where the Principal Engineer has been given an opportunity to Chief shall collaborate with and support engineering services required, rendered and/or approved by other City departments.
- B. The Chief shall have the care and custody of all maps and plans of the public works and improvements of the City.
- C. It shall be the duty of the Chief to record, and keep in such manner that they can easily be examined, all surveys and layouts of streets, a manuscript, survey or layout is adopted by the Common Council.
- D. It shall be the responsibility of the Chief, in collaboration with the Department of Transportation, Mobility and Parking, to establish all construction specifications, design standards and manuals required for the planning, design, construction and maintenance of the Mobility with the Complete Streets Ordinance. It shall also be the responsibility of the Chief to establish and prepare all other necessary standards, design standards and manuals required for the operations of the Department, the wastewater collection and treatment system and the
- E. The Chief shall be charged with the control, development, operation and maintenance of a system of public parks and recreational areas or that may hereafter be acquired as further explained in the City Code, including § 90-1 and § 74-23 through § 74-27.

§ 90-7. Recordkeeping requirements.

- A. The Chief shall keep a written record of all permits and licenses granted under Chapters 90 through 99 of the Code, and such written record shall be available for public inspection.
- B. The Chief shall keep a record of complaints made by the public and shall enter therein all complaints made concerning streets, highways, public facilities, wastewater collection and treatment facilities and public places, and any breach of Chapters 90 through 99 of this Code, together with the response thereto.

§ 90-8. (Reserved)

§ 90-9. Effect on taxing districts.

Nothing in §§ 90-1 through 90-8 shall be construed to affect the buildings, structures and properties belonging to the First, Second, Third or their management and operation. When, in the judgment of the Chief, public safety is or may be adversely affected by work to be performed may at their discretion make the requirements of this Chapter and any other appropriate provision of the Code applicable to such taxing district.

§ 90-10. Interference with personnel.

No person shall resist, molest, interfere with or disobey the Chief or their assistants while engaged in the duty of keeping the streets, sidewalks open and free from obstruction by vehicles, crowds, groups of persons or otherwise.

§ 90-11. Severability.

If any provision, clause or phrase of this Chapter is adjudged by any court of competent jurisdiction to be invalid or if the applicability thereof is held invalid, such judgment shall not invalidate the remainder, and the applicability thereof to other persons or circumstances shall not be affected.

§ 90-12. Repealer.

Any provisions of the Code of the City of Norwalk inconsistent with the provisions of this chapter are hereby repealed to the extent of such Inconsistency.

Dated at Norwalk, Connecticut this _____ day of October 2024.

ATTEST:

Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, November 8, 2024

of the Common Council, make and alter, from time to time, rates, fines, penalties and fees with respect to operations of the fees, fines, penalties and fees to be charged for the various departmental services and functions and shall submit same, hereinafter the Public Works Committee of the Common Council, or its successor, which shall hold a public hearing. Public notice of the public hearing shall be given by the City Clerk of notice of the action taken by the Public Works Committee of the Common Council shall act upon the Fee Schedule. If the Council takes no action within such 30 days, the Fee Schedule shall be deemed to be approved and shall be maintained with the records of the Common Council. If the Council votes to disapprove the Fee Schedule, it may ask the Chief to submit revised proposals to the Common Council to be acted on in accordance with this section.

For Pollution Control Authority rates, fines, penalties and fees, or alterations to same, with respect to operations of the wastewater treatment system, the Chief shall organize proposed rates, fines, penalties and fees to be charged for the various system services and functions, and shall submit same to the Water Pollution Control Authority, which shall hold a public hearing. Public notice of the public hearing shall be given by the City Clerk. If the Water Pollution Control Authority votes to disapprove all or a portion of the Fee Schedule, it may ask the Chief to submit revised proposals to the Water Pollution Control Authority to be acted on in accordance with this section. The Chief shall implement the approved Fee Schedule.

The Fee Schedule may be modified from time to time in accordance with the procedure set forth in this section, shall be available on the City website and shall be made available for distribution to persons requesting same from the Department of Operations and Public Works at all times.

The Chief shall be a regular employee, a Principal Engineer of the Department, who shall be a qualified professional civil engineer with at least five years of experience in the construction of public works, highways, public utilities and municipal improvements. They shall be licensed to practice in the State of Connecticut and shall, within six months of assuming the position of Principal Engineer, shall provide professional assistance to the Department and shall supervise the Department's engineering and construction administration staff at the direction of the Chief.

of.

The Chief shall prepare all surveys, maps, profiles, calculations, construction documents, drawings and specifications required for the use of the Department's surveying and engineering services which may be required of them by the Common Council and by each and every department, agency or government; provided, however, that the Chief shall not perform or cause to be performed engineering services on behalf of any agency or government unless such services are approved by a qualified professional civil engineer, licensed to practice in the State of Connecticut, where the Chief has been given such approval and where the Principal Engineer has been given an opportunity to review and provide comment. The Chief shall not perform engineering services required, rendered and/or approved by other City departments.

The Chief shall be in charge of all maps and plans of the public works and improvements of the City.

The Chief shall, and keep in such manner that they can easily be examined, all surveys and layouts of streets, sewers and public works for which the Chief is responsible and approved by the Common Council.

The Chief shall, in collaboration with the Department of Transportation, Mobility and Parking, to establish and prepare the necessary standard specifications and manuals required for the planning, design, construction and maintenance of the Mobility System in a manner consistent with the standards of the Department of Transportation, Mobility and Parking. It shall also be the responsibility of the Chief to establish and prepare all other necessary standard construction specifications, standards and manuals for the operations of the Department, the wastewater collection and treatment system and the parking system.

The Chief shall be responsible for the control, development, operation and maintenance of a system of public parks and recreational areas and facilities now in existence and hereafter created, as explained in the City Code, including § 90-1 and § 74-23 through § 74-27.

The Chief shall maintain all permits and licenses granted under Chapters 90 through 99 of the Code, and such written record shall at all times be open to the public.

The Chief shall receive and enter therein all complaints made concerning streets, highways, sidewalks, gutters, parking facilities and public places, and any breach of Chapters 90 through 99 of this Code, together with the action taken by them.

The Chief shall be instructed to affect the buildings, structures and properties belonging to the First, Second, Third or Sixth Taxing Districts of the City. In the judgment of the Chief, public safety is or may be adversely affected by work to be performed by the taxing districts, the Chief shall be authorized to suspend the provisions of this Chapter and any other appropriate provision of the Code applicable to such taxing district.

The Chief shall not disobey the Chief or their assistants while engaged in the duty of keeping the streets, sidewalks and public places of the City free from obstructions, crowds, groups of persons or otherwise.

If any provision of this Chapter is adjudged by any court of competent jurisdiction to be invalid or if the applicability thereof to any persons or circumstances is held to be invalid, the remainder, and the applicability thereof to other persons or circumstances shall not be affected thereby.

Any provision of the Code inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency.

____ day of October 2024.

____ day, November 8, 2024

**COMMON COUNCIL ORDINANCE COMMITTEE
SPECIAL MEETING
OCTOBER 29, 2024
VIA VIDEOCONFERENCE AND TELECONFERENCE**

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

STAFF: Brian Candela

OTHER: Sam Mathur, Priti Mathur

Ms. Shanahan called the meeting to order at 6:00 p.m.

1 ROLL CALL:

Ms. Shanahan called the roll as reflected above.

2. PUBLIC HEARING (possible action on):

Kenneth D'Arinzo from the Reapportionment Committee was present but didn't comment.

3 PUBLIC HEARING DISCUSSION:

There was no public hearing discussion.

4 PUBLIC COMMENT:

There was no public comment.

5 ACCEPTANCE OF MINUTES:

October 15 2024 regular meeting of the ordinance committee

**** MS. DUNN MOVED TO APPROVE THE MINUTES.
COMMON COUNCIL ORDINANCE COMMITTEE
SPECIAL MEETING
OCTOBER 29, 2024**

**** THE MOTION PASSED WITH FIVE AYES AND ONE ABSTENTION
(ANNE WENNERSTRAND).**

6 OLD BUSINESS:

There was no old business discussed.

7 NEW BUSINESS:

Discuss and vote on Section 9-32 entitled Districts Established (new section) of the Ordinance Establishing an Advisory Committee for the Reapportionment of Common Council Voting Districts. Attached as part of Section 9-32 is the Reapportionment Advisory Committee's map with all street names.

- Access to the Reapportionment Advisory Committee's Proposed Plan Map and Letter can be accessed as follows:

<https://www.norwalkct.gov/DocumentCenter/View/34478/Redistricting-Proposed-PlanMapLetter?bidId=>

**** MS. DUNN MOVED TO SEND THE MATTER TO COMMON COUNCIL.**

Mr. Candela discussed the establishment of the Reapportionment Committee and the resulting plan proposal. He stated it went through the various channels and was back in the Ordinance Committee to discuss and vote on moving sections 9-32 forward to a public hearing on November 12, 2024. He noted that the public hearing would occur at the Common Council meeting.

**** THE MOTION PASSED UNANIMOUSLY.**

8. DISCUSSION ITEM:

There were no discussion items.

9. ADJOURNMENT

**COMMON COUNCIL ORDINANCE COMMITTEE
SPECIAL MEETING
OCTOBER 29, 2024**

**** MS. DUNN MOVED TO ADJOURN THE MEETING.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6: 06 p.m.

Respectfully submitted
China Mayhew
Telesco Secreterial Services

ARTICLE I
Maintenance; Acceptance; Abandonment
[Adopted 5-10-1988; amended in its entirety 3-24-2015]

§ 95-0. Purpose; intent.

The purpose of this ~~article~~Article is to ~~advance the goal of building a implementing Complete Streets transportation planning, policy, and design Network~~, as established in the Complete Streets Ordinance, and ~~p-protecting, preservpreserving, e-and ensuring~~ the proper maintenance of public grounds, ~~streetsStreets~~, highways, ~~sidewalksSidewalks~~, and thoroughfares in the City of Norwalk.

The intent of this ~~article~~Article is to:

- A. Clarify the responsibilities of the Director of Public Works and the ~~Director of Transportation, Mobility, and Parking~~Complete Streets Coordinator, regarding their shared responsibilities ~~toThe intent of this article is to provide clear direction to the Director of Public Works to i- implement, within the resources provided and in collaboration with other dDepartments and aAgencies, the City's goals for implementingbuilding a Complete Streets Network, as established in the Complete Streets Ordinance.~~
- B. Provide clear direction to the Director of Public Works to implement, ~~within the resources provided, the City's goals for the maintenance of its the maintenance of its-~~public grounds, ~~streetsStreets~~, highways, ~~sidewalksSidewalks~~ and thoroughfares.
- C. Establish the responsibility of the adjoining property owner for ~~sSidewalks and footpathsFootpaths that~~ may be initially established by the City ~~of Norwalk, and the adjoining property owner is responsible as~~ described herein.

§ 95-1. Definitions. [Amended 10-22-2019]

In addition to the terms defined in Chapter 91 and unless the context specifically indicates otherwise, the meanings of terms used in this ~~article~~Article shall be as follows:

DIRECTOR OF PUBLIC WORKS

—The Chief of Operations and Public Works of ~~Norwalkthe City, or theirhis/her~~ designee.

COMPLETE STREETS COORIDINATOR

—As defined in the Complete Streets Ordinance.

COMPLETE STREETS ORDINANCE

The City of Norwalk Complete Streets ordinance, as amended from time to time.

COMPLETE STREETS DESIGN GUIDE/DESIGN GUIDE —

As defined in the Complete Streets Ordinance~~it~~.

ENCROACH

—To obstruct, impede, intrude or use for purposes other than traveling, including but not limited to: the placing of any ladder, staging, scaffolding, building or construction materials or equipment or other like obstacle; the depositing of any merchandise, materials or any personal property; the erection, placement, maintenance or display of any sign; ~~and~~ the pumping of water from private property, the depositing of snow or ice or the draining of water from private property in any manner which in any way may obstruct, impede or endanger public use or travel or which does or may cause any icy condition which in any way does or may obstruct, impede or endanger public use or travel.

EXCAVATE

—Dig up, open, break, cut into, trench, tunnel or undermine in any manner. Such term includes the

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establishment, construction, resurfacing, repaving or reconstruction of any driveway or the placing of any substructure.

FOOTPATH

—As differentiated from ~~sidewalk~~Sidewalk, an asphalt pathway, usually three to four feet wide, constructed to provide safe pedestrian travel generally near/along roadways without ~~sidewalks~~Sidewalks cross- country between destinations.

MOBILITY SYSTEM

—As defined in the Complete Streets Ordinance and reproduced here: ~~(The system of infrastructure and technologies that facilitates and supports the flow of people, goods, and services in the City. The term includes related services such as the supply of parking and the management of traffic, in addition to the physical infrastructure and technologies.~~

PUBLIC UTILITY

—Any public service company incorporated under the provisions of the Connecticut General Statutes or by special act for the purpose of transmitting or distributing gas, water, electricity, video or for telephone purposes.

SIDEWALK

—A walkway built to provide safe pedestrian travel along public thoroughfares that are constructed in accordance with the ~~City's Roadway Standards Complete Streets Design Guide and the accompany design guidance, as define, amended, and supplemented in the Guide, Standard Specifications, as amended and supplemented.~~

STREET

—Any portion of the entire width between the boundary lines of any public way maintained by the ~~City of Norwalk~~, including but not limited to any street, highway, sidewalk, curb, gutter, shoulder, alley, avenue or other public way or any public ground leased by, maintained by or in possession or control of the ~~City of Norwalk~~.

TRANSPORTATION FACILITY

—As defined in the Complete Streets Ordinance and reproduced here: ~~A facility consisting of the means and equipment necessary for the movement of people or goods including, but not limited to, any road, bridge, tunnel, overpass, ferry, mass transit facility, vehicle parking facility, port facility or similar commercial facility used for the movement of people or goods, together with any buildings, structures, parking areas, appurtenances, and other property needed to operate such facility; however, a commercial or retail use or enterprise not essential to the movement of people or goods shall not be considered a transportation facility.~~

TRAVELED WAY

—The portion of a ~~street~~Street or highway ordinarily used for vehicular travel, exclusive of the shoulder.

§ 95-2. Execution of orders.

A. It shall be the duty of the Director and Complete Streets Coordinator to collaborate on the ~~development, to execute execution, causation fore to be executed,~~ and supervision ~~of the execution~~ of all orders of the Common Council for the design, construction, maintenance and repair of all public works-Transportation Facilities not ordered to be supervised by other officers or persons.

(1) The Complete Streets Coordinator shall be responsible for the form, classification, use, and function of the Mobility System and related Transportation Facilities, including all "above-the-street ground" infrastructure that includes but is not limited to driveways; pedestrian,

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bicycle, and parking facilities; and all associated striping, signals, and the like.

(2) The Director shall be responsible for leading the design and overseeing the function, construction, and maintenance of the City's "below-the-ground" infrastructure, including but not limited to: utility, sanitary, storm, and wastewater systems.

(3) The Director shall be responsible for the maintenance of the City's "above-the-ground" infrastructure, including but not limited to driveways, pedestrian, bicycle, and parking facilities; and all associated striping, signals, and the like.

B. It shall be the duty of the Director to develop, execute, ~~cause to be executed~~, and supervise the execution of all orders of the Common Council for the design, construction, maintenance and repair of all other public works not ordered to be supervised by other officers or persons.

A. —

B.C. The Director is hereby authorized to superintend and take such action as ~~they deem~~~~he deems~~ necessary to secure the timely completion of all repairs upon ~~streets~~~~Streets~~, highways, ~~sidewalks~~~~Sidewalks~~ and their appurtenances and all public improvements within the limits of the ~~streets~~~~Streets~~, highways, ~~sidewalks~~~~Sidewalks~~, thoroughfares and public grounds of the City.

§ 95-3. Removal of obstructions and nuisances.

A. The Director is hereby authorized to take such action as ~~he deems~~~~they deem~~ necessary to ensure that all public grounds, ~~streets~~~~Streets~~, highways, ~~sidewalks~~~~Sidewalks~~, and other thoroughfares in the City are, to the extent reasonably possible, clear of obstructions and nuisances and free from danger to persons or property.

B. The Director is hereby authorized to take such action as ~~they deem~~~~he deems~~ necessary to ensure that all filth, encroachments, encumbrances and obstructions upon the ~~streets~~~~Streets~~, ~~sidewalks~~~~Sidewalks~~, highways, public grounds and thoroughfares are, to the extent reasonably possible, removed in a timely manner.

B.C. The Director is also authorized to take such action, in collaboration with the Complete Streets Coordinator, as is deemed necessary to ensure that all persons act in strict conformance with and obedience to the provisions of this ~~Code Article~~ and other rules and regulations relative to the use of the ~~streets~~~~Streets~~, thoroughfares, highways, ~~sidewalks~~~~Sidewalks~~ and public grounds in the City.

C.D. No owner or occupant of land shall drain or pump any water from such land onto any public highway or ~~sidewalk~~~~Sidewalk~~, or into the gutter thereof, unless there has previously been an emergency declared by the City which remains in effect, which may cause damage to the highway or ~~sidewalk~~~~Sidewalk~~, or create an unsafe condition, specifically, but not limited to, an icing condition, as determined by the Director.

D.E. Any owner or occupant found in violation of this section shall be ordered to cease and desist such action by the Director or be subject to a fine in an amount established in accordance with § 90-4, Approval of rates and fees.

E.F. If the owner/occupant fails to acknowledge or respond to the Director's notification, the violation continues beyond the time designated for correction, or the property owner/occupant so requests the Director may order work done to terminate the violation and request the Corporation Counsel to place a lien on the property for the amount incurred to correct the violation, plus fines.

F.G. Any property owner whose property has been liened pursuant to § 95-3E may elect to pay the assessment of the costs relative to the City's ~~sidewalk~~~~Sidewalk~~ work, in full, within 60 days of the lien filing; the property owner may alternatively request that the assessment of costs relative to the

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~~sidewalk~~Sidewalk work be paid over a ten-year period. All such charges will be treated as a property assessment and shall be billed in the name of the record owner of the property. If the property owner elects to pay over a ten-year period, such assessment shall be subject to interest as calculated in § 103-21.

§ 95-4. Cleanliness of sidewalks.

It shall be the duty of all owners, occupants and persons in charge of buildings and the duty of all owners and persons in charge of vacant lots to keep the ~~sidewalks~~Sidewalks adjacent to such premises clean and free of paper, dirt, debris, filth or other foreign matter. It shall be unlawful for any person to sweep or otherwise transfer such paper, dirt, debris, filth or foreign matter into the gutter, ~~street~~Street or highway.

§ 95-5. Littering prohibited. [Amended 10-22-2019]

- A. No person shall throw, cast, place or discard any paper, dirt, debris, filth or other foreign matter on the ~~sidewalks~~Sidewalks, gutters, ~~streets~~Streets, highways or public places of the City. Violation of this section shall be subject to a fine established in accordance with the provisions of § 90-4, Approval of rates and fees. The Chief of Economic and Community Development, the Chief Building Official, or their respective designees shall enforce § 95-5.
- B. In case of the failure or neglect of the person to correct the actions identified in Subsection A following a fine pursuant to § 90-4, Approval of rates and fees, the Chief of Economic and Community Development, the Chief Building Official, or their respective designees may cause the same to be done, and the expenses thereof shall be collectible from the person.

§ 95-6. Covering of transportation vehicles.

No person shall use any vehicle for hauling paper, dirt, debris, filth, rock, refuse or other matter unless such vehicle is so constructed or covered so as to prevent the falling or scattering of any part of such load while passing over the ~~streets~~Streets, highways and public places of the City.

§ 95-7. Grass and weeds. [Amended 10-22-2019]

- A. Whenever a ~~sidewalk~~Sidewalk has been constructed or shall hereafter be constructed within the limits of the City, it shall be the duty of the owner of any land or building fronting upon such ~~sidewalk~~Sidewalk to keep the grass or weeds properly cut or removed from the margin of such ~~sidewalks~~Sidewalks in front of the premises owned by ~~them~~him/her, including any and all portions lying within the public right-of-way. The Chief of Economic and Community Development, the Chief Building Official, or their respective designees shall enforce § 95-7.
- B. In case of the failure or neglect of the owner to correct the actions identified in Subsection A ~~following~~following a fine pursuant to § 90-4, Approval of rates and fees, the Chief of Economic and Community Development, the Chief Building Official, or their respective designees may cause the same to be done, and the expenses thereof shall be collectible ~~from~~from the owner.

§ 95-8. Sidewalk and footpath inspections.

The Director is authorized to inspect all ~~sidewalks~~Sidewalks and ~~footpaths~~Footpaths within the limits of the City on a periodic basis and make reports to the Common Council at the end of each fiscal year, and is further authorized to initiate appropriate compliance and/or maintenance and repair activities on those ~~sidewalks~~Sidewalks or ~~footpaths~~Footpaths which the Director finds not to be in good order and repair that are under the City's ~~of Norwalk's~~ jurisdiction.

§ 95-9. Sidewalk repair.

A. If any person, after having been notified in writing by the Director to repair properly any portion of a ~~sidewalk~~Sidewalk; adjoining his ~~property~~property which shall have become irregular and uneven, shall refuse or neglect to do so to the satisfaction of the Director within the time limit contained in such notice, such person shall be deemed guilty of a violation and shall be fined an amount established in accordance with the provisions of § 90-4, Approval of rates and fees. Each twenty-four-hour period after the expiration of the time limit contained in such notice shall constitute a separate and distinct offense. All such repairs shall be in conformance with the ~~City of Norwalk's Department of Public Works Roadway Standards Complete Streets Design Guide and Standard accompany design guidance, as define, amended, and supplemented in the Guide.~~

Commented [LTP4]: Global point. Is this other language necessary? Isn't it all in the design guide?

A. ~~Specifications~~, as it may be amended and supplemented.

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B. Any member of the Common Council or any City board or agency may call the Director's attention to a particular area of ~~sidewalk~~Sidewalk needing attention.

C. If the owner/occupant fails to acknowledge or respond to the Director's notification, the violation continues beyond the time designated for correction, or the property owner so requests, the Director may order work done to terminate the violation and request the Corporation Counsel to place a lien on the property for the amount incurred to correct the violation, plus fines.

D. Any property owner whose property has been liened pursuant to § 95-9C may elect to pay the assessment of the costs relative to the City's ~~sidewalk~~Sidewalk repair, in full, within 60 days of the lien filing; the property owner may alternatively request that the assessment of costs relative to the ~~sidewalk~~Sidewalk repair be paid over a ten-year period. All such charges will be treated as a property assessment and shall be billed in the name of the record owner of the property. If the property owner elects to pay over a ten-year period, such assessment shall be subject to interest as calculated in § 103-21.

E. The Mayor, Common Council, and Board of Estimate and Taxation will allocate funds in the capital budget for the repair and additional construction of ~~sidewalks~~Sidewalks to allow conformity with this ~~article~~Article and the Complete Streets Ordinance. ~~In conjunction with any street repaving or reconstruction, the Director will first elect to replace curbs/ sidewalks as appropriate and necessary to ensure adequate drainage from the roadway. When a street is being reconstructed and at least 51% of the curb/sidewalk must be replaced to assure adequate roadway drainage, all of the curb/sidewalk may be replaced to ensure neighborhood consistency unless doing so will cause the project budget to be exceeded.~~

§ 95-10. Snow and ice removal from sidewalks and driveways. [Amended 2-27-2018; 10-22-2019]

A. The provisions of Section 7-163a of the Connecticut General Statutes are hereby adopted and are set forth in Subsections B, C and D hereof.

B. Notwithstanding the provisions of Section 13a-149 of the Connecticut General Statutes or any other general or special act, the City shall not be liable to any person for injury to person or property due to the presence of ice or snow on a public ~~sidewalk~~Sidewalk unless the City is the owner or person in possession and control of land abutting such ~~sidewalk~~Sidewalk, other than land used as a highway or ~~street~~Street, provided that the City shall be liable for its affirmative acts with respect to any such ~~sidewalk~~Sidewalk under its possession and control.

C. The owner or person in possession and control of land abutting a public ~~sidewalk~~Sidewalk shall have the same duty of care with respect to the presence of ice or snow on such ~~sidewalk~~Sidewalk toward the portion of the ~~sidewalk~~Sidewalk abutting his property as the City had prior to the effective date of this ~~article~~Article and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of said injury,

D. No action to recover damages for injury to person or property caused by the presence of ice or snow on a public ~~sidewalk~~Sidewalk against a person who owns or is in possession and control of land abutting a public ~~sidewalk~~Sidewalk shall be brought but within two years from the date when the injury is first sustained.

E. It shall be the duty of each owner and/or occupant in possession and control, jointly, of every parcel of real estate abutting a public ~~sidewalk~~Sidewalk, whether the parcel of real estate is occupied by a structure or not, to keep such ~~sidewalks~~Sidewalks free from snow and ice for the full paved width of such ~~sidewalks~~Sidewalks or, in the case of ice, by covering the same with sand, salt, chemical ice melt or other suitable material, and then renewing such treatment as often as may be necessary to keep such ~~sidewalk~~Sidewalk safe and convenient.

~~E.~~
F. In case of the failure or neglect of the owner or occupant in possession and control of land abutting the public ~~sidewalk~~Sidewalk to comply with this section, as identified in Subsection E, the Chief of Economic and Community Development, the Chief Building Official, or their respective designees may cause the same to be done, and the expense thereof shall be collectible from the person so failing or neglecting, in an action of debt brought in the name of the City under this section. It will be presumed that the owner and/or occupant, as identified in Subsection E, has not complied with its obligations under this section if the owner and/or occupant fails to remove snow and/or ice within a reasonable period of time after such accumulation. Any person who fails or neglects to comply with this subsection shall also be liable for a penalty or fine in an amount established in accordance with § 90-4 of the Norwalk City Code, Approval of rates and fees.

G. No person, firm or private corporation shall deposit, throw, place or strew, nor shall any person, firm, or private corporation cause to be deposited, thrown, placed or strewn, any snow or ice upon any ~~streets~~Streets, avenues, roadways, highways or ~~sidewalks~~Sidewalks within the City. Any person, firm or private corporation who violates this subsection shall also be liable for a penalty or fine in an amount established in accordance with § 90-4 of the Norwalk City Code, Approval of rates and fees.

§ 95-11. Driveways.

~~The Director is hereby authorized to control the size, location and geometry of all driveways within the right-of-way in order to provide, to the extent reasonably possible, safe and efficient access to property. All driveways shall be designed and constructed in accordance with this ~~article~~Article and the ~~City of Norwalk's Complete Streets Design Guide-Department of Public Works Roadway Standards, as amended and supplemented.~~~~

§ 95-12. Driveway permits.

- A. No person shall construct, reconstruct or relocate a driveway in the City without a permit issued by the Director. A permit to construct a driveway shall be obtained in accordance with the provisions of Chapter 96, Excavations and Encroachments in Public Streets and Grounds.
- B. Application for a permit shall be made on a form furnished by the Director. A permit and inspection fee as established in accordance with the provisions of § 90-4, Approval of rates and fees, shall be paid to the Director at the time the application is filed.
- C. Before issuing a permit, the Director ~~shall~~ review the permit application to assess whether the proposed work complies with the requirements set forth within the ~~City of Norwalk's Complete Streets Design Guide-Department of Public Works Roadway Standards, as amended and supplemented.~~
- D. Any driveway, access road, approach road or improvement constructed under permit, located in whole or in part within the public right-of-way, shall be subject to inspection at any time by the City. The

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Commented [LTP5]: Should the Complete Streets Coordinator have a role in this? See D.

right is reserved by the ~~Director~~ Director and the Complete Streets Coordinator to require changes, additions and relocations thereto as, in ~~their~~his opinion, may be necessary from time to time for the relocation, reconstruction, widening or maintenance of the roadway or to provide protection to life and property on or adjacent to the roadway.

§ 95-13. Effect of street construction on driveways.

The widening, repair, maintenance or relocation of any City ~~street~~Street or roadway by the City shall not be construed as causing any driveway ~~to~~ be in violation of this ~~article~~Article.

§ 95-14. City obligation for private driveways.

Nothing in this ~~article~~Article shall require the City to repair or improve any private driveway nor render the City liable upon failure to make said repair or improvement, except where such repair or improvement is made necessary as a result of the widening, repairing, maintenance or relocation of a City ~~street~~Street.

§ 95-15. Existing driveways.

The provisions of this ~~article~~Article shall not apply to driveways in existence, substantially complete or being constructed under a previously issued permit at the time of adoption of this ~~article~~Article.

§ 95-16. Sidewalk and footpath reconstruction.

Every person who proposes to use any portion of a ~~sidewalk~~Sidewalk, ~~or~~ ~~Footpath, trail, or off-street~~street bicycle facility for ~~or as~~ part of any private driveway shall reconstruct such portion of the ~~sidewalk~~Sidewalk or footpath in accordance with the ~~City of Norwalk Department of Public Works Roadway Standards~~Complete Streets Ordinance and Complete Streets Design Guide, ~~as amended and supplemented,~~ and such requirement shall be a condition of any driveway permit issued under the provisions of this ~~article~~Article.

§ 95-17. Term of permit.

A permit to construct a driveway shall be valid for a period of one year from its date of issue. If driveway construction, reconstruction or relocation is not substantially complete within that time, the permit shall be deemed void, unless application is made to the Director for an extension. A single extension for six months may be granted under this ~~S~~section. Application for a new permit shall be made if the extension has expired and the work is not substantially complete.

§ 95-18. Noncompliance.

- A. Any person who, after having been notified in writing by the Director to comply with any provisions of this ~~article~~Article, except during the pendency of an appeal, shall refuse or neglect to do so within the time limit contained in such notice shall be deemed to be in violation of this ~~article~~Article and shall be liable to a fine established in accordance with the provisions of § 90-4, Approval of rates and fees, for each offense. Each day during which any provision of this ~~article~~Article is violated after the expiration of such time limit for compliance, which shall be no less than 15 days with respect to the construction, reconstruction or relocation of a driveway, shall constitute a separate offense. Notice shall be served by means of certified mail, return receipt requested, and shall be deemed to have been delivered one day after the date of mailing.
- B. Any driveway constructed in violation of this ~~article~~Article shall be closed immediately upon receipt of written instructions from the Director, who shall have the right to erect barriers to prohibit use of any such driveway, without providing advance written notice of such action if necessary for the preservation of public health and safety.

- C. Any person who has failed to comply with the provisions of this ~~article~~Article requiring a permit prior to the commencement of excavations and encroachments in public ~~streets~~Streets and grounds and who thereafter applies for a permit shall be charged the corrective action permit application fee rather than the standard permit application fee.
- D. Any person who receives a determination or order from the Director under this ~~article~~Article may appeal said determination or order. The notice of appeal must be received within 30 days of the determination or order. Hearing on the appeal before the Public Works Committee ~~of the Common Council, or any successor thereto (the "Public Works Committee")~~, shall take place within 35 days from the date of receipt of the notice of appeal.

§ 95-19. Responsibility for naming of streets and numbering of lots.

All matters pertaining to the naming of public ~~streets~~Streets and the numbering of lots thereon shall be referred to the Public Works Committee ~~of the Common Council~~. In connection with such matters, the Public Works Committee shall hear such persons and make such investigation as it may deem necessary and, after

obtaining the approval of the Planning ~~Commission~~ and Zoning Commission, shall report the result of such investigation, together with its recommendations as to names of public ~~streets~~Streets and numbers of lots, to the Common Council.

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§ 95-20. Acceptance of report legalizes names and numbers.

Upon acceptance by the Common Council of the report and recommendations of the Public Works Committee, the names of ~~streets~~Streets and the numbers of lots as contained in such report shall thereafter be the legal names of such ~~streets~~Streets and the legal numbers of such lots, and all persons shall thereafter be deemed to have notice of the same.

§ 95-21. Street construction and acceptance.

It shall be the duty of the Director to establish a procedure for the construction and acceptance of new ~~streets~~Streets to minimize confusion as to the responsibility of those who construct new ~~streets~~Streets and as to the procedure with respect to new ~~streets~~Streets which are offered for acceptance as City ~~streets~~Streets and, as a consequence, for maintenance by the City.

§ 95-22. Streets serving more than two lots.

Any ~~street~~Street which serves or is likely to serve more than two building lots of the size permitted in the zone wherein the ~~street~~Street is located shall be constructed in conformity with City specifications and standards in effect at the time the work thereon is commenced.

§ 95-23. Construction standards.

- A. No newly constructed or existing ~~highway, road or street~~Transportation Facility, together with any curbs and ~~sidewalks~~Sidewalks adjacent thereto and the drainage systems, guardrails and ~~street~~Street signs installed in conjunction therewith, shall be laid out, altered, enlarged, changed or constructed, except in conformance with the ~~City of Norwalk's Complete Streets Ordinance and the standards set forth therein in the City of Norwalk and Department of Public Works Roadway Standards Complete Streets Guide, and the accompany design guidance, as defined, amended, and supplemented in the Guide, including the Standard Specifications, as amended and supplemented, and Drainage Manual, as amended and supplemented.~~
- B. Any street, highway or road or any curb, or ~~sidewalk~~Sidewalk adjacent thereto, or any drainage system, guardrail or ~~street~~Street sign installed in conjunction therewith, that shall be in whole or in

any part or manner laid out, altered, changed or constructed, other than in accordance with the standards set forth in this Section, in the determination of the Director, shall not be accepted as a public ~~street~~Street of the City.

~~C.B. Any street, or section of street, determined to be in the urban (concrete) zone, as proposed by the Director in coordination with the Director of Planning and Zoning and adopted by appropriate legislative bodies, shall have its sidewalks and curbs constructed of an appropriate grade of concrete when they are either initially constructed or subsequently repaired.~~

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§ 95-24. Petition for acceptance.

The owner of any street constructed in conformity with City specifications and standards in effect at the time of the filing of the petition for acceptance of such street or in effect at the time the work thereon was commenced, if work was commenced not more than two years prior to the filing of the application, may file an application for acceptance of such street as a City ~~street~~Street. Such application shall be filed with the City Clerk, who shall send copies thereof to the Director, the Director of Planning and Zoning, and ~~each of the members of the Public Works Committee of the Common Council.~~

§ 95-25. Council action prior to street acceptance.

- A. Before any new street is accepted, the Director shall review such petition and certify to the Common Council that such new street has been inspected by ~~his~~their Department and has been constructed in conformity with applicable City specifications and standards, as set forth above, and remains in satisfactory condition at the time of such certification.
- B. The Directors of the Planning ~~Commission~~ and the Zoning Commission shall certify to the Common Council that the subdivision wherein the street is located or which is served by such street is in compliance with all regulations of the Planning ~~Commission~~ and Zoning Commission and of ~~the Norwalk City this~~ Code applicable thereto.

§ 95-26. Restrictions on date of acceptance.

No street, the construction of which has been completed after the last day of October in any year, shall be accepted prior to the first day of April of the succeeding year.

§ 95-27. Streets within subdivisions.

- A. Before any subdivision of land receives final approval, the subdivider or developer shall notify the Planning Commission and Zoning Commission, in writing, whether or not the new streets to be constructed within the subdivision are to be offered for acceptance as City ~~streets~~Streets.
- B. If any street is not to be offered for acceptance and is to be retained as a private street, then, before final approval of the subdivision, the owner of the property shall deliver to the Planning ~~Commission~~ and Zoning Commission for filing in the land records at the owner's expense a signed stipulation approved by the Corporation Counsel wherein the owner agrees that the owner will incorporate in any deed conveying an interest in property abutting on any street to be retained as a private street a statement that such street is a private street and that the owner does not intend to offer it for acceptance as a City ~~street~~Street, although the owner may reserve the right to do so.
- C. Such stipulation having been delivered to the Planning ~~Commission~~ and Zoning Commission and the streets having been constructed in accordance with the City specifications and standards above mentioned to the satisfaction of the Director and of the Planning ~~Commission~~ and Zoning Commission, any bond given to the City for faithful performance of the construction of such private street may be released by the Planning Commission and Zoning Commission.

§ 95-28. Release of bonds.

Any bond given to the City for faithful performance and compliance with the ~~forementioned Complete Streets Design Guide Standard Specifications and accompany design details and specifications Roadway Standards~~ shall be released only:

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- A. Upon faithful compliance with the provisions of § 95-27, Streets within subdivisions; or
- B. Upon receipt of notice from the City Clerk that the street which is the subject of the bond has been duly accepted by the Common Council.

§ 95-29. Timetable for acceptance.

Any street constructed in conformity with the applicable City specifications and standards as set forth in § 95-23, Construction standards, shall be deemed to have been accepted as a City ~~street~~ Street if final action on the petition for acceptance has not been taken by the Common Council within 75 days after the filing thereof with the City Clerk, but in computing such period of 75 days, any day falling between October 31 of any year and April 1 of the succeeding year shall be excluded.

§ 95-30. Certificates of occupancy.

No certificate of occupancy shall be granted by the Building Inspector for any dwelling built upon any street, highway or road governed by the standards set forth in § 95-23, Construction standards, until such street, highway, road, or the curb or ~~sidewalk~~ Sidewalk adjacent thereto, or drainage system, guardrail or street sign installed in conjunction therewith, shall be in satisfactory and operable condition, as approved by the Director ~~and Complete Streets Coordinator~~.

§ 95-31. Conformance to standards.

The standards set forth in § 95-23, Construction standards, of this ~~article~~ Article shall be followed in all new construction or major reconstruction of ~~streets~~ Streets, roads and highways undertaken by ~~the Department of Public Works~~ the City of Norwalk or by private contractors engaged by the City for work on ~~streets~~ Streets, roads and highways.

§ 95-32. Amendments to other standards required.

The Planning ~~Commission~~ and Zoning Commission of the City ~~is~~ are hereby directed to amend ~~its~~ their regulations regarding ~~the matters set forth in the Complete Streets Design Guide and Road and Drainage Standards — Secondary~~ so that they conform to the standards set forth in this ~~article~~ Article, as they may be amended and supplemented.

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§ 95-33. Street abandonment.

It shall be the policy of the City to abandon a ~~street~~ Street when, in the judgment of the Common Council, it is in the best interests of the City. In making this judgment, the Common Council shall consider the ownership of said ~~street~~ Street, the amount of traffic currently using said ~~street~~ Street, the economic benefits to the City of maintaining or closing said ~~street~~ Street and any other factors it deems advisable.

§ 95-34. Street abandonment applications.

Applications for the abandonment of all or a portion of any City ~~street~~ Street shall be made to the Public Works Committee ~~of the Common Council~~ by means of an application form submitted to the Director. The application shall include the title search indicating the current fee owners of the ~~street~~ Street and adjacent land, identifying any easements, a map of said ~~street~~ Street, an appraisal of any interest the City has in said ~~street~~ Street and any fee required by said Committee for the cost of said application. The fee required shall

be at a rate as approved in accordance with the provisions of § 90-4, Approval of rates and fees.

§ 95-35. Procedure for street abandonment.

- A. Within 60 days of the receipt of said application, the Public Works Committee shall hold a public hearing of necessity concerning said application and shall refer the proposed abandonment to the Planning ~~Commission~~ and Zoning Commission for review as required by Section 8-24 of the Connecticut General Statutes.
- B. Notice of said public hearing shall be given in the manner set forth in the Charter ~~by publication in a newspaper of general circulation in the City~~ and by first class mail to owners of record of all real property bounding on the ~~street~~Street or portion thereof proposed for abandonment. All such notices shall be given at least seven days before the date of the hearing. Within 30 days of said hearing, the Public Works Committee and the Common Council shall make a determination as to whether it is in the best interests of the City to proceed to abandon said ~~street~~Street.
- C. In the event that the Common Council makes said determination, the Council ~~shall appoint a committee of freeholders, in accordance with the provisions of § 1-439 of the Charter, which shall assess all benefits and damages associated with said abandonment, and~~ may appoint an appraiser to determine the fair market value of the City's interest in the ~~land~~.

§ 95-36. Vote on abandonment.

Within 30 days of the receipt of the reports of ~~the freeholders~~, the Planning ~~Commission~~ and Zoning Commission and of any appraiser, the Public Works Committee shall approve or disapprove said application, determine any conditions that should attach to said abandonment, authorize the Mayor to execute a quit-claim deed, if necessary, and determine the appropriate consideration for said abandonment. Said conditions may include public easements for utilities or other purposes which may be incorporated in the deed. Such approval or disapproval shall be referred to the Common Council for its approval or disapproval, which shall act upon such referral within 30 days.

Commented [LTP8]: Section 1-439 was repealed in the charter revision. Brian you should check to see if there are any requirements to appoint freeholders under state law.

ARTICLE II
Honorary and Historic Naming of Streets
[Adopted 10-28-2014]

§ 95-37. Purpose.

The purpose of this ~~article~~Article is to establish guidelines and formalize procedures when considering the honorary or historic naming or renaming of a City-~~owned or controlled~~ ~~street~~Street or roadway, administered under the responsibility charged to the Public Works Committee of the Common Council.

§ 95-38. Policy and considerations. [Amended 4-14-2020]

If a City ~~street~~Street or roadway is to be named in honor of an individual, it is generally required that such individual has made a significant contribution to the community through public service and deeds, and is respected for his or her accomplishments and good conduct. Consideration shall be given to individuals who have made recent accomplishments and contributions as well as individuals with historic ties to the City. An individual shall be deceased at least one year prior to the naming unless the Common Council determines by a two-thirds-majority plus one (11 votes) that a living individual or a person who has been deceased less than one year deserves the honor. Groups should not be in a position to influence the process by funding of past or future operations of the ~~street~~Street or roadway, and it is ultimately important for the City to avoid any perception of improper manipulation, special favor, vested interest, or endorsement of businesses, products or services.

§ 95-39. Procedure. [Amended 4-14-2020]

Naming of City ~~streets~~Streets or roadways shall proceed as follows:

- A. The proposed naming of a City ~~street~~Street or roadway shall be placed on a Public Works regular meeting agenda for discussion and review. In the event that the ~~street~~Street or roadway to be named is located within a City park, the proposed naming shall be placed on the Recreation, Parks and Cultural Affairs agenda for discussion and review.
- B. A public hearing is required prior to forwarding the naming request to the full Common Council for approval. The hearing shall be held at a regular meeting of the Public Works Committee, and the scheduling of said hearing shall have been approved at a previous regular meeting by a majority vote of the Committee.
- C. A two-thirds-majority (10 votes) of the Common Council is required for the approval of all honorary or historic ~~street~~Street names, except in the case where a living individual or a person who has been deceased less than one year is the honoree, in which case a two-thirds-majority plus one (11 votes) is required.