

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.org/meetings](http://www.norwalkct.org/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 828 7379 8981**, the **passcode is 377930** and the **call in number is 646-558-8656**. The information can also be found using the link above.



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. 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 828 7379 8981**, the **passcode is 377930** and the **call in number is 646-558-8656**. The information can also be found using the link 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 [www.norwalkct.org/meetings](http://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.



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 read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Darin Callahan at [dcallahan@norwalkct.org](mailto:dcallahan@norwalkct.org) to provide written public comment prior to the meeting.

## **COMMON COUNCIL ORDINANCE COMMITTEE** **REGULAR MEETING**

**June 21, 2022**  
**7:00 p.m. – By Videoconference and Teleconference**

**AGENDA**

- 1. ROLL CALL:**
- 2. PUBLIC HEARING (possible action on):**
  - Discuss and vote on Pesticides ordinance.
  - Discuss and vote on Firefighter Safety Building Marking System Sign ordinance.
- 3. PUBLIC HEARING DISCUSSION:**
- 4. PUBLIC COMMENT:**
- 5. ACCEPTANCE OF MINUTES:**
  - May 17, 2022 – regular meeting of the ordinance committee.
- 6. OLD BUSINESS:**
  - Discuss and vote on Cannabis ordinance.
- 7. NEW BUSINESS:**
  - Discuss and vote on Chapter 17 (Aquifer Protection Agency), Section 1 (Designation; membership; technical training).
- 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 on Tuesday, June 21, 2022 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Pesticides – Healthy Outdoor Public Spaces. 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 June 17, 2022.

### **HEALTHY OUTDOOR PUBLIC SPACES**

#### **§\_\_\_\_\_-1. – Purpose.**

The City of Norwalk recognizes that the health and safety of its residents is of paramount concern and that high standards for the promotion and protection of the health and safety of the people must underlie municipal action. It is also in the best interest of the City and its residents to protect the ecological integrity of the Long Island Sound and Norwalk's rivers and streams and to improve and protect water quality throughout the region.

Pesticides necessarily contaminate soil microbiology, plant life, wildlife, marine species, groundwater, rivers, and water wells. These lethal chemicals blindly kill and make no distinction between the unwanted pests and beneficial insects and healthy organisms. Many of these beneficial insects can help limit unwanted pests on properties where Organic Land Management practices are used.

Pregnant women, children, and pets are particularly vulnerable to the adverse health effects of pesticides, including cancer, respiratory, endocrinological, and neurodevelopmental disorders. Existing federal and state regulation of pesticides does not and cannot guarantee their safety. Fortunately, there are numerous effective and safe alternative solutions, as well as best property practices, that can be employed for sustainable lawn, soil, land, garden, and tree care.

Therefore, the City of Norwalk hereby creates this Chapter to promote a healthy environment that protects its residents, waterways, and wildlife from the risks inherent in pesticides by prohibiting or restricting their use on all City-owned public grounds, including but not limited to, parks, beaches, trails, recreation centers, and playgrounds.

#### **§\_\_\_\_\_-2. – Definitions.**

*"City Property"* means any property owned, occupied, or controlled by the City of Norwalk, including but not limited to, school grounds, parks, playgrounds, lawns, streets, sidewalks, grassy areas adjacent to city streets and sidewalks, right-of-ways, waters, waterways, fields, athletic fields, trails, beaches, and open spaces.

*"Invasive Fauna Species"* means any insect or animal species not native to the Connecticut ecosystem whose introduction to such ecosystem does or is likely to cause economic or environmental harm or harm to human health.

*"Invasive Plant Species"* means any non-native plants recorded on the Connecticut Invasive Plant List pursuant to Sections 22a-381a-e of the Connecticut General Statutes, as amended from time to time.

*"IPMT"* means the interdepartmental pest management team established to evaluate applications and make determinations under this Chapter. The IPMT shall be composed of the Director of Health, Director of

Recreation and Parks, ~~Chief of Operations, and the senior~~Senior Conservation Officer, ~~Chief of Operations, and Director of Transportation, Mobility and Parking,~~ or their respective designees. The Director of ~~Health~~Recreation and Parks, or his, her, or their designee, shall serve as Chair of the IPMT.

*“Organic Land Management”* refers to a problem-solving strategy that prioritizes a natural, organic approach to turfgrass and landscape management, and care of trees and shrubs without the use of pesticides. It mandates the use of natural, organic practices that promote healthy soil and plant life as a preventive measure against the onset of turf and landscape pest problems.

*“Organic Product”* means any products or materials:

- (1) Sanctioned as organic in accordance with the Organic Materials Review Institute (OMRI);
- (2) Whose active ingredients are all listed in the OMRI Generic Materials List;
- (3) Listed in the National Organic Program (NOP) Code of Federal Regulations Title 7-Subtitle B - Chapter I - Subchapter M - Part 205 - Subpart G - Section §205.601, as amended from time to time;
- (4) Designated and labeled as “for organic production” per the NOP; or
- (5) As prescribed by certified organic agents or contractors accredited through the Northeast Organic Farming Association (NOFA), provided that such prescription is in accordance with the land care and maintenance practices sanctioned by NOFA in its Standards for Organic Land Care for clients who ask for organic services.

*“Prohibited Product”* means any product, material, substance, pesticide, fungicide, larvicide, insecticide, herbicide, rodenticide, or fertilizer that contains (1) Glyphosate, (2) 2,4-D, (3) 1,3-D, (4) Neonicotinoids, or (5) Chlorpyrifos.

*“Restricted Product”* means any product, material, pesticide, fungicide, larvicide, insecticide, herbicide, rodenticide, or fertilizer that is not an “Organic Product” or a “Prohibited Product.”

*“Tidal Wetlands”* shall have the meaning set forth in the Connecticut Tidal Wetlands Act, as the same may be amended from time to time.

*“Watercourse”* shall have the meaning set forth in Section 22a-39-2 of the Regulations of Connecticut State Agencies, as the same may be amended from time to time.

*“Wetlands”* shall have the meaning set forth in Section 22a-39-2 of the Regulations of Connecticut State Agencies, as the same may be amended from time to time.

### **§ \_\_\_\_-3. – Use of Pesticides on City Property.**

Neither the City of Norwalk, nor any commission, board, authority, or other body established thereby, nor any officer, employee, contractor, or agent of the City of Norwalk or such commission, board, authority, or other body, shall use or apply any Organic Product, Restricted Product, or Prohibited Product on City Property, except as expressly provided in this Chapter.

### **§ \_\_\_\_-4. – Use of Organic Products and Restricted Products.**

A. Any officer, employee, or agent of the City, or any commission, board, authority, or other body established thereby, may apply to the IPMT for permission to use an Organic Product or Restricted Product on City

Property to remediate an imminent threat to human health, the environment, or to the public welfare and safety. The IPMT may grant the application upon a finding that:

- (1) A situation exists that poses an imminent threat to human health, the environment, or to the public welfare and safety;
- (2) Reasonable attempts have been made to remediate the condition using Organic Land Management practices and that such practices have failed to reasonably remediate the condition;
- (3) The applicant will, to the greatest extent practicable, minimize the impact of the Organic Product or Restricted Product on abutting properties or any Tidal Wetland, Watercourse, or Wetland; and
- (4) The proposed Organic Product or Restricted Product has proven to be effective against such condition; provided, however, that the IPMT shall not approve the use of a Restricted Product in any situation where an Organic Product has been proven to be effective against such condition.

In addition, the application must include a Pest Management Plan to prevent the post remediation reoccurrence of the condition using Organic Land Management practices. If approved, the use of the Organic Product or Restricted Product may continue until the condition is eliminated or until such earlier time as the IPMT may determine.

- B. Notwithstanding the foregoing, no use of Restricted Products shall be made (1) at schools or on school grounds unless requested by the principal of such school, or (2) within 200 feet of a Tidal Wetland, Watercourse, or Wetland.
- C. The application and the determination of the IPMT shall be posted on the City of Norwalk website and made available in hardcopy at the ~~Health~~-Department of Recreation and Parks for public inspection during normal business hours.

#### § \_\_\_\_-5. – Use of Prohibited Products.

The use of Prohibited Products on City Property is prohibited in all cases, except where, as of the effective date of this Chapter, ~~an existing protocol uses~~ such Prohibited Product is used on City Property to control the presence of ~~an Invasive Species~~ poison ivy; provided, however, that in no event shall such Prohibited Product be used within 200 feet of a Tidal Wetland, Watercourse, or Wetland.

#### § \_\_\_\_-6. – Exemption.

Notwithstanding any other provision of this Chapter, Organic Products and Restricted Products may be used on ~~the tees and greens of~~ a municipal golf course for maintenance, provided that the golf course follows the “Environmental Principles for Golf Courses in the United States” established by the United States Golf Association is designated through Audubon International as a Certified Audubon Cooperative Sanctuary and, provided further, that the golf course will, to the greatest extent practicable, minimize the impact of the Organic Products or Restricted Products on abutting properties or any Tidal Wetland, Watercourse, or Wetland ~~no such products are used within 200 feet of a Tidal Wetland, Watercourse, or Wetland~~. The Director of such golf course shall, on a monthly basis, deliver a written report to the IPMT of all Organic Products and Restricted Products used during the preceding month. Such report shall include the information required in Section 8 B below.

#### § \_\_\_\_7. – Land Management Plan.

- A. The Director of Recreation and Parks and Director of Public Works shall, on an annual basis, develop a Land Management Plan for all City Property. Organic Land Management practices shall be the method of choice to understand, prevent, and control actual and potential plants to be considered noxious weeds or Invasive **Plant** Species or Invasive Fauna **Species** in such Land Management Plan. The essential practices of Organic Land Management include, but are not limited to:
- (1) Regular soil testing;
  - (2) Addition of approved soil amendments as necessitated by soil test results, following, but not limited to, the recommendations of the Northeast Organic Farming Association;
  - (3) Selections of plantings using criteria of hardiness, suitability to native conditions, drought, disease, pest resistance, and ease of maintenance;
  - (4) Modification of outdoor management practices to comply with organic horticultural science, including scouting, monitoring, watering, mowing, pruning, proper spacing, and mulching;
  - (5) The use of physical controls, including hand-weeding and over-seeding;
  - (6) The use of biological controls, including the introduction of natural predators, and enhancement of the environment of a pest's natural enemies;
  - (7) Through observation, determining the most effective treatment time, based on pest biology and other variables, such as weather and local conditions; and,
  - (8) Eliminating pest habitats and conditions supportive of pest population increases.
- B. Notwithstanding the foregoing, the Land Management Plan may, with the approval of the IPMT as provided under Section 4 of this Chapter, include the use of Organic Products and Restricted Products.
- C. The Director of Recreation and Parks and Director of Public Works shall promptly deliver a written copy of the Land Management Plan and any updates thereto to the IPMT. In addition, the Director of Recreation and Parks and Director of Public Works shall, on a monthly basis, deliver a written report to the IPMT of all Organic Products and Restricted Products used pursuant to such plan during the preceding month. Such report shall include the information required in Section 8 B below.

#### § \_\_\_\_-8. – Reporting and Record Keeping.

- A. The Director of ~~Health~~**Recreation and Parks**, as Chair of the IPMT, or his, her, or their designee, shall, on an annual basis, or as otherwise requested by the Common Council, prepare and deliver a written report to the Common Council specifying all Organic Products, Restricted Products, and Prohibited Products used on City Property in the prior ~~calendar~~**fiscal** year. Such report shall also be posted on the City of Norwalk website and be made available in hardcopy at the ~~Health~~**Department of Recreation and Parks** for public inspection during normal business hours.
- B. The written report required under this Chapter shall include the following information: (1) the common name of the product used; (2) the trade name of the product used; (3) the registration number designated by the United States Environmental Protection Agency; (4) a copy of the federally required product label listing the product uses and potential product risks; (5) the amount of product applied; (6) the method of application; (7) the location where the product was applied; (8) the square footage of area where the product was applied; (9) the name of the entity applying the pesticide; and (10) whether the person applying the product posted any notices informing the public that the product was applied.

#### § \_\_\_\_-9. – Effective Date.

This Chapter shall be effective ~~{ } as of January 1, 2023.~~

**Dated at Norwalk, Connecticut this \_\_\_\_\_ day of May 2022.**

**ATTEST: \_\_\_\_\_**

**Irene Dixon, City Clerk**

**THE HOUR: Please publish once on Friday, June 10, 2022**

# The Norwalk Hour

## CLASSIFIED MARKETPLACE

203-333-4151

classifieds@hearstmediact.com

Hours: 8:30 a.m.-4:30 p.m., M-F • Major Credit Cards Accepted

## PUBLIC NOTICES

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### Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, June 21, 2022 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Pesticides – Healthy Outdoor Public Spaces. 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 June 17, 2022.

#### HEALTHY OUTDOOR PUBLIC SPACES

##### § \_\_\_\_-1. – Purpose.

The City of Norwalk recognizes that the health and safety of its residents is of paramount concern and that high standards for the promotion and protection of the health and safety of the people must underlie municipal action. It is also in the best interest of the City and its residents to protect the ecological integrity of the Long Island Sound and Norwalk's rivers and streams and to improve and protect water quality throughout the region.

Pesticides necessarily contaminate soil microbiology, plant life, wildlife, marine species, groundwater, rivers, and water wells. These lethal chemicals blindly kill and make no distinction between the unwanted pests and beneficial insects and healthy organisms. Many of these beneficial insects can help limit unwanted pests on properties where Organic Land Management practices are used.

Pregnant women, children, and pets are particularly vulnerable to the adverse health effects of pesticides, including cancer, respiratory, endocrinological, and neurodevelopmental disorders. Existing federal and state regulation of pesticides does not and cannot guarantee their safety. Fortunately, there are numerous effective and safe alternative solutions, as well as best property practices, that can be employed for sustainable lawn, soil, land, garden, and tree care.

Therefore, the City of Norwalk hereby creates this Chapter to promote a healthy environment that protects its residents, waterways, and wildlife from the risks inherent in pesticides by prohibiting or restricting their use on all City-owned public grounds, including but not limited to, parks, beaches, trails, recreation centers, and playgrounds.

##### § \_\_\_\_-2. – Definitions.

"City Property" means any property owned, occupied, or controlled by the City of Norwalk, including but not limited to, school grounds, parks, playgrounds, lawns, streets, sidewalks, grassy areas adjacent to city streets and sidewalks, right-of-ways, waters, waterways, fields, athletic fields, trails, beaches, and open spaces.

"Invasive Fauna Species" means any insect or animal species not native to the Connecticut ecosystem whose introduction to such ecosystem does or is likely to cause economic or environmental harm or harm to human health.

"Invasive Plant Species" means any non-native plants recorded on the Connecticut Invasive Plant List pursuant to Sections 22a-301a-e of the Connecticut General Statutes, as amended from time to time.

"IPMT" means the interdepartmental pest management team established to evaluate applications and make determinations under this Chapter. The IPMT shall be composed of the Director of Health, Director of Recreation and Parks, Chief of Operations, and the senior Conservation Officer, or their respective designees. The Director of Recreation and Parks, or his, her, or their designee, shall serve as Chair of the IPMT.

"Organic Land Management" refers to a problem-solving strategy that prioritizes a natural, organic approach to turfgrass and landscape management, and care of trees and shrubs without the use of pesticides. It mandates the use of natural, organic practices that promote healthy soil and plant life as a preventive measure against the onset of turf and landscape pest problems.

"Organic Product" means any products or materials:

- (1) Sanctioned as organic in accordance with the Organic Materials Review Institute (OMRI);
- (2) Whose active ingredients are all listed in the OMRI Generic Materials List;
- (3) Listed in the National Organic Program (NOP) Code of Federal Regulations Title 7-Subtitle B - Chapter I - Subchapter M - Part 205 - Subpart G - Section §205.601, as amended from time to time;
- (4) Designated and labeled as "for organic production" per the NOP; or
- (5) As prescribed by certified organic agents or contractors accredited through the Northeast Organic Farming Association (NOFA), provided that such prescription is in accordance with the land care and maintenance practices sanctioned by NOFA in its Standards for Organic Land Care for clients who ask for organic services.

"Prohibited Product" means any product, material, substance, pesticide, fungicide, larvicide, insecticide, herbicide, rodenticide, or fertilizer that contains (1) Glyphosate, (2) 2,4-D, (3) 1,3-D, (4) Neonicolinoids, or (5) Chlorpyrifos.

"Restricted Product" means any product, material, pesticide, fungicide, larvicide, insecticide, herbicide, rodenticide, or fertilizer that is not an "Organic Product" or a "Prohibited Product."

"Tidal Wetlands" shall have the meaning set forth in the Connecticut Tidal Wetlands Act, as the same may be amended from time to time.

"Watercourse" shall have the meaning set forth in Section 22a-39-2 of the Regulations of Connecticut State Agencies, as the same may be amended from time to time.

"Wetlands" shall have the meaning set forth in Section 22a-39-2 of the Regulations of Connecticut State Agencies, as the same may be

amended from time to time.

"Wetlands" shall have the meaning set forth in Section 22a-39-2 of the Regulations of Connecticut State Agencies, as the same may be amended from time to time.

**§ 3. — Use of Pesticides on City Property.**

Neither the City of Norwalk, nor any commission, board, authority, or other body established thereby, nor any officer, employee, contractor, or agent of the City of Norwalk or such commission, board, authority, or other body, shall use or apply any Organic Product, Restricted Product, or Prohibited Product on City Property, except as expressly provided in this Chapter.

**§ 4. — Use of Organic Products and Restricted Products.**

A. Any officer, employee, or agent of the City, or any commission, board, authority, or other body established thereby, may apply to the IPMT for permission to use an Organic Product or Restricted Product on City Property to remediate an imminent threat to human health, the environment, or to the public welfare and safety. The IPMT may grant the application upon a finding that:

- (1) A situation exists that poses an imminent threat to human health, the environment, or to the public welfare and safety;
- (2) Reasonable attempts have been made to remediate the condition using Organic Land Management practices and that such practices have failed to reasonably remediate the condition;
- (3) The applicant will, to the greatest extent practicable, minimize the impact of the Organic Product or Restricted Product on abutting properties or any Tidal Wetland, Watercourse, or Wetland; and
- (4) The proposed Organic Product or Restricted Product has proven to be effective against such condition; provided, however, that the IPMT shall not approve the use of a Restricted Product in any situation where an Organic Product has been proven to be effective against such condition.

In addition, the application must include a Pest Management Plan to prevent the post remediation reoccurrence of the condition using Organic Land Management practices. If approved, the use of the Organic Product or Restricted Product may continue until the condition is eliminated or until such earlier time as the IPMT may determine.

B. Notwithstanding the foregoing, no use of Restricted Products shall be made (1) at schools or on school grounds unless requested by the principal of such school, or (2) within 200 feet of a Tidal Wetland, Watercourse, or Wetland.

C. The application and the determination of the IPMT shall be posted on the City of Norwalk website and made available in hardcopy at the Department of Recreation and Parks for public inspection during normal business hours.

**§ 5. — Use of Prohibited Products.**

The use of Prohibited Products on City Property is prohibited in all cases, except where, as of the effective date of this Chapter, such Prohibited Product is used on City Property to control the presence of poison ivy; provided, however, that in no event shall such Prohibited Product be used within 200 feet of a Tidal Wetland, Watercourse, or Wetland.

**§ 6. — Exemption.**

Notwithstanding any other provision of this Chapter, Organic Products and Restricted Products may be used on a municipal golf course for maintenance, provided that the golf course follows the "Environmental Principles for Golf Courses in the United States" established by the United States Golf Association and, provided further, that the golf course will, to the greatest extent practicable, minimize the impact of the Organic Products or Restricted Products on abutting properties or any Tidal Wetland, Watercourse, or Wetland. The Director of such golf course shall, on a monthly basis, deliver a written report to the IPMT of all Organic Products and Restricted Products used during the preceding month. Such report shall include the information required in Section 8 B below.

**§ 7. — Land Management Plan.**

A. The Director of Recreation and Parks and Director of Public Works shall, on an annual basis, develop a Land Management Plan for all City Property. Organic Land Management practices shall be the method of choice to understand, prevent, and control actual and potential plants to be considered noxious weeds or Invasive Plant Species or Invasive Fauna Species in such Land Management Plan. The essential practices of Organic Land Management include, but are not limited to:

- (1) Regular soil testing;
- (2) Addition of approved soil amendments as necessitated by soil test results, following, but not limited to, the recommendations of the Northeast Organic Farming Association;
- (3) Selections of plantings using criteria of hardiness, suitability to native conditions, drought, disease, pest resistance, and ease of maintenance;
- (4) Modification of outdoor management practices to comply with organic horticultural science, including scouting, monitoring, watering, mowing, pruning, proper spacing, and mulching;
- (5) The use of physical controls, including hand-weeding and over-seeding;
- (6) The use of biological controls, including the introduction of natural predators, and enhancement of the environment of a pest's natural enemies;
- (7) Through observation, determining the most effective treatment time, based on pest biology and other variables, such as weather and local conditions; and,
- (8) Eliminating pest habitats and conditions supportive of pest population increases.

B. Notwithstanding the foregoing, the Land Management Plan may, with the approval of the IPMT as provided under Section 4 of this Chapter, include the use of Organic Products and Restricted Products.

C. The Director of Recreation and Parks and Director of Public Works shall promptly deliver a written copy of the Land Management Plan and any updates thereto to the IPMT. In addition, the Director of Recreation and Parks and Director of Public Works shall, on a monthly basis, deliver a written report to the IPMT of all Organic Products and Restricted Products used pursuant to such plan during the preceding month. Such report shall include the information required in Section 8 B below.

**§ 8. — Reporting and Record Keeping.**

A. The Director of Recreation and Parks, as Chair of the IPMT, or his, her, or their designee, shall, on an annual basis, or as otherwise requested by the Common Council, prepare and deliver a written report to the Common Council specifying all Organic Products, Restricted Products, and Prohibited Products used on City Property in the prior calendar year. Such report shall also be posted on the City of Norwalk website and be made available in hardcopy at the Department of Recreation and Parks for public inspection during normal business hours.

B. The written report required under this Chapter shall include the following information: (1) the common name of the product used; (2) the trade name of the product used; (3) the registration number designated by the United States Environmental Protection Agency; (4) a copy of the federally required product label listing the product uses and potential product risks; (5) the amount of product applied; (6) the method of application; (7) the location where the product was applied; (8) the square footage of area where the product was applied; (9) the name of the entity applying the pesticide; and (10) whether the person applying the product posted any notices informing the public that the product was applied.

**§ 9. — Effective Date.**

This Chapter shall be effective as of January 1, 2023.

Dated at Norwalk, Connecticut this \_\_\_\_\_ day of May 2022.

ATTEST: Irene Dixon, City Clerk

## Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, June 21, 2022 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Section 72-5D. 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 June 17, 2022.

### § 72-5 **Other uses.**

- A. Numbers shall be Arabic and a minimum of three inches in height and shall be in a color contrasting to the area to which they are affixed.
- B. Numbers shall be located on the top or sides of the main entrance to the building or trailer. In the event that a building has entrances on more than one street, the owner shall number each entrance in a location and format approved by the Fire Marshal.
- C. If the building, trailer or multibuilding complex is more than 50 feet from the street, the owner shall, in addition, number the driveway entrance in a location and format approved by the Fire Marshal. Numbers shall be visible from the street to traffic moving in each direction.
- D. With the exception of single and two family buildings or structures, all buildings or structures shall have the fire fighter safety building marking system sign installed. The fire fighter safety building marking system sign provides information to responding fire fighter personnel regarding the construction type of a building or structure and the potential presence of a roof or floor truss. The fire fighter safety building marking system sign shall be permanently installed in a position to be plainly legible and visible from the street or road fronting the property or as approved by the Fire Marshal, or his, her or their designee. The installation and maintenance of the fire fighter safety building marking system sign shall be the responsibility of the owner/operator of the building or structure. The Fire Marshal, or his, her or their designee, shall provide written or verbal instructions to the owner/operator of a building or structure regarding the information to be included on the sign.

This subsection shall be effective as of November 1, 2022.

Dated at Norwalk, Connecticut this \_\_\_\_\_ day of May 2022.

ATTEST: \_\_\_\_\_

Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, June 10, 2022

**PUBLIC NOTICES**

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**Legal Notice of Public Hearing**

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, June 21, 2022 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on Section 72-5D. 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 June 17, 2022.

**§ 72-5 Other uses.**

- A. Numbers shall be Arabic and a minimum of three inches in height and shall be in a color contrasting to the area to which they are affixed.
- B. Numbers shall be located on the top or sides of the main entrance to the building or trailer. In the event that a building has entrances on more than one street, the owner shall number each entrance in a location and format approved by the Fire Marshal.
- C. If the building, trailer or multibuilding complex is more than 50 feet from the street, the owner shall, in addition, number the driveway entrance in a location and format approved by the Fire Marshal. Numbers shall be visible from the street to traffic moving in each direction.
- D. With the exception of single and two family buildings or structures, all buildings or structures shall have the fire fighter safety building marking system sign installed. The fire fighter safety building marking system sign provides information to responding fire fighter personnel regarding the construction type of a building or structure and the potential presence of a roof or floor truss. The fire fighter safety building marking system sign shall be permanently installed in a position to be plainly legible and visible from the street or road fronting the property or as approved by the Fire Marshal, or his, her or their designee. The installation and maintenance of the fire fighter safety building marking system sign shall be the responsibility of the owner/operator of the building or structure. The Fire Marshal, or his, her or their designee, shall provide written or verbal instructions to the owner/operator of a building or structure regarding the information to be included on the sign.

This subsection shall be effective as of November 1, 2022.

Dated at Norwalk, Connecticut this \_\_\_\_\_ day of May 2022.

ATTEST: Irene Dixon, City Clerk

**CITY OF NORWALK  
ORDINANCE COMMITTEE  
MAY 17, 2022  
BY VIDEOCONFERENCE AND TELECONFERENCE**

ATTENDANCE: Lisa Shanahan, Chair; David Heuvelman; Dominique Johnson;  
Joshua Goldstein; Thomas Keegan; Thomas Livingston;  
Nora Niedzielski Eichner

STAFF: Brian Candela, Corporation Counsel; Deanna D'Amore, Director  
of Health; Lamond Daniels, Chief of Community Services; Steven  
Kleppin, Director of Planning and Zoning; Broderick Sawyer, Fire  
Marshall, Norwalk Fire Department; Robert Stowers, Director of  
Parks and Recreation

OTHERS: Nicol Ayers, Diana Revolus and Darlene Young, Common Council  
members

**ROLL CALL**

Ms. Shanahan called the meeting to order at 7:04 p.m. and called the Roll as indicated above.

**PUBLIC HEARING** (possible action on)

A public hearing was not held this evening.

**PUBLIC COMMENT**

No members of the public wished to comment this evening.

**ACCEPTANCE OF MINUTES**

April 19, 2022 – regular meeting of the Ordinance Committee

The following corrections were made to the minutes:

Remove Chairman throughout and replace with Chair.

Correct the spelling of Diane Lauricella's name.

Page 4, second paragraph should read: Mr. Goldstein asked why the Committee has a member of the Zoning Board of Appeals and not a member of the Planning and Zoning Commission.

- \*\* MR. HEUVELMAN MOVED TO ACCEPT THE MINUTES AS  
CORRECTED**
- \*\* MOTON PASSED WITH ONE (1) ABSTENTION (MR. HEUVELMAN)**

### **OLD BUSINESS**

Discuss and vote on Pesticides Ordinance

Ms. Shanahan gave an overview of the Pesticides Ordinance. She said that the Ordinance was passed through several department and changes were made based on the comments. She reviewed the changes. Ms. Shanahan noted that she was very pleased that Oak Hills Park will not use prohibited pesticides. The reporting records will go through Parks and Recreation. Mr. Sawyer noted that in the Fire Code Safety Data Sheets, pesticides fall under the realm of the Fire Department.

Mr. Keegan asked about the financial impact on Parks and Recreation and Oak Hills. Ms. Shanahan explained that is not something they plan to discuss. She noted that the City has been cautious about what they use. Mr. Livingston added that the City has not been using these pesticides. There may be costs for Oak Hills.

Mr. Stowers said he did not believe there would be additional costs. If they need to get an exemption to use pesticides for toxic weeds they would go through the Committee. Ms. Shanahan added that if someone is using a restrictive product, they would need to go before the Committee. Mr. Stowers said they have been looking at alternative products to remove toxic weeds.

- \*\* MR. LIVINGSTON MOVED TO SCHEDULE A PUBLIC HEARING AT  
THE NEXT MEETING**
- \*\* MOTION PASSED UNANIMOUSLY**

### **NEW BUSINESS**

Discuss and vote on Fire Fighter Safety Building Marking System Sign Ordinance

There is a safety issue when Fire Fighters enter a nonresidential building. This signage lets them know how long they have inside the building. This signage will keep the Fire Fighters and the public safe. This has not been adopted in Connecticut. Mr. Sawyer said he spoke with the State Fire Marshall who has no problems with the local Fire Marshall doing this.

City of Norwalk  
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May 17, 2022

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By Videoconference and Teleconference

Mr. Sawyer said this is something the owners will have to comply with. The property owner, architect or building management will know what type of material the building is made of. The signs are about \$40.00 and are weather resistant.

Mr. Sawyer said this signage would be required of three family buildings and up and for commercial buildings.

Mr. Livingston said this was a terrific idea and important. He said he was struggling with the implementation and asked if there was a penalty. Mr. Sawyer explained that the penalty is in the Fire Code. He said they need to give people time to comply and would be happy to implement this in January. People will have 30 days to comply.

An effective date of November 1, 2022 was suggested. Mr. Livingston offered suggestions on the language. Ms. Niedzielski Eichner suggested checking Zoning regulations to make the language consistent.

**\*\* MR. GOLDSTEIN MOVED TO SCHEDULE A PUBLIC HEARING AT  
THE NEXT MEETING  
\*\* MOTION PASSED UNANIMOUSLY**

Discuss and Vote on Cannabis Ordinance

Ms. Shanahan explained that this Ordinance is the mechanics for the City to collect funds and how those funds will be held and spent.

Mr. Goldstein, working with Mr. Keegan said this was a team effort. He explained that this was an initial, but comprehensive presentation. This is not a finished product. He reviewed the law that was signed by Governor Lamont last summer. He said no one knows how much the State will earn in tax revenues.

Ms. D'Amore presented a map showing cannabis retail eligible parcels in Norwalk. Mr. Kleppin reviewed sites that are eligible and not eligible for retail cannabis sale. He noted that the business is regulated. He added that they need to think about cultivators, because they are treated as a manufacturing. Mr. Kleppin said that once the Committee thinks about the variables, they can work on a timeline.

Ms. Young asked for a description of where the retail eligible areas are located. Mr. Kleppin presented the location on a map and said the majority of the areas are where retail uses are located, such as, Main Avenue/Route 7, West Avenue and Wall Street and East Avenue. Other areas that allow retail are Rowayton and the Cranbury, and Silvermine areas of Norwalk. Ms. Young asked Mr. Kleppin to provide a copy of the

map to the members of the Committee and to the members of the Common Council. Mr. Kleppin said he will send the map along with a spread sheet showing the properties.

Ms. Revolus expressed concern about traffic and suggested placing the retail establishments along the border areas of Norwalk. Mr. Heuvelman asked about parking. Mr. Kleppin suggested using the retail ratio. He said that he believes that when the retail establishments first open, there will be a big rush, but that should level off.

Ms. Niedzielski Eichner asked how people will negotiate locations. Mr. Kleppin said that people are reaching out and will be notified about available parcels. They will have to go through an application process. Ms. Shanahan added that there will be an Ordinance as well as Zoning regulations.

Ms. Johnson said that some of the streets in the Wall Street area are eligible and asked about traffic issues. Mr. Kleppin said that question was hard to answer without having a specific parcel.

Ms. Young asked how many retail establishments will be permitted. She said she did not want to see any one section overburdened with traffic issues. Mr. Kleppin said that the Planning and Zoning Commission will craft the language over the next couple of months. Mr. Goldstein explained that the City can have up to three retail dispensing facilities. They can also have other facilities in Norwalk. Mr. Heuvelman asked how many other facilities would be permitted in Norwalk. Mr. Goldstein said he would have to find out.

Mr. Heuvelman said this gets into a public safety issue and he wants to be sure the Committee thinks about the retail facilities, cultivation facilities and the manufacturing facilities.

Ms. Ayers expressed concern about signage that may entice children to partake. She asked why this industry was being heavily placed in four to five neighborhoods. She said she did not think there should be more than one establishment in one neighborhood. Mr. Kleppin explained there were no sensitive uses in those areas. He added that there are very strict regulations on signage. The cannabis legislation restricts the esthetics of the buildings. Ms. Ayers said they have to be mindful of pop culture. Ms. Revolus said while there are stipulations about signage, people do not care about the stipulations. There are people who don't care and will advertise. Mr. Goldstein said that a good thing with this use is that it has state oversight and is very regulated.

Mr. Goldstein said that in order for Planning and Zoning to move forward, the Ordinance Committee needs to lift the moratorium. He presented the draft Ordinance revoking the moratorium, to impose a limit on the consumption of cannabis and the policies and procedures of the cannabis trust.

Ms. Young discussed the disparity the Community suffered due to cannabis. She said they have to talk about things that held the Community at bay. She said if they are discussing making changes, education is a key component to change the lives of the people in the Community. This is an opportunity to make a financial commitment to be sure the Black and Brown children that will be in the South Norwalk school will benefit from this. She said she does not see anything in the presentation about education for young children.

Mr. Goldstein said that a reason a lot of them are intrigued by this is because it provides a tremendous opportunity for the City to get a revenue stream to help the Community on the War on Drugs. Ms. Shanahan said she understood that the State requires the money to go to seven specific programs. Mr. Goldstein said this is something they should continue to discuss, but these are the stated purposes. This is a State Statute and the money has to be spent for those purposes.

Ms. Revolus asked if the educational programs educate a Community that was disenfranchised. She asked how this use puts economic growth in a Community that was put in jail for this. She asked if there will be an educational program for people to be successful in this industry that was dominated by one class and where the other was disenfranchised. She said that one community will benefit and the other will not. She said they do not want to be employees. They want to be owners.

Mr. Goldstein said he believed training in this industry is worthy of discussion, but that is putting the cart before the horse. That is not what they are trying to achieve here. Ms. Shanahan said they need to keep focus on what they can do as a Committee.

Mr. Candela said that part of the law involves Social Equity applications that go through the State. The law in Connecticut is that the State was going to be given the Social Equity applications.

Ms. Revolus asked what plans were in place regarding where people can smoke. She also asked about people who use medical marijuana. Ms. Shanahan said that some of this is beyond the scope of this Committee. Mr. Candela explained that this Ordinance deals with properties owned or controlled by the City of Norwalk. Mr. Goldstein said he did not have an answer about where people can smoke.

Mr. Goldstein summarized the rest of the Ordinance including how the City will get the proceeds from the sales tax.

Mr. Daniels shared his screen and highlighted the concept Implementation of the Norwalk Cannabis Trust Fund from the 3% sales tax. He explained that his office will direct the procedure guidelines and requirements.

Mr. Daniels said that the Social Equity office of the State of Connecticut identified disproportionately impacted areas and some of those areas are in Norwalk. He reviewed the common program requirements and said that is a work in progress.

Ms. Shanahan said it was early to get into the details. Mr. Goldstein added that the guidelines do not have to be completed before they pass the Ordinance.

Mr. Goldstein expressed his appreciation to all who contributed and showed interest in this Ordinance. Ms. Shanahan thanked Mr. Goldstein, Mr. Keegan and Mr. Livingston for their work on this first draft. She noted there will be community outreach in a variety of forms and the Committee members will have a chance to look at this Ordinance several more times.

Ms. Ayers asked if any of the funds will be used for the administration of the funds. She also asked if they could delay dispensing the funds a year, so they have a larger pot of money. Mr. Goldstein explained they are required to put the money in a trust account and does not believe the State law requires that the money be spent within a specific time. He said there was not going to be a lot of money at first.

Ms. Johnson said she was going to re-read the State Statute before the public hearing. She asked about enforcement regarding imbibing in public. Mr. Goldstein said this is something he discussed with the Chief of Police. He asked him to reach out to other Chiefs to determine best practices. He added that Mr. Keegan played a pivotal role in this. She also asked about having an educational component. Ms. Johnson said education would be an important factor in providing equity for Black and Brown men.

The Committee members discussed the guidelines. Ms. Shanahan said she believed the guideline will be re-written a few times. Mr. Goldstein said they want the flexibility to make changes as priorities change.

Mr. Heuvelman asked if the State put out specific guidelines as to how the money is to be spent. He said there are two different prongs to this where non profits can apply for funds and the City can utilize the funds to achieve some of the goals. Mr. Daniels said that under the Ordinance, his department will be responsible for reporting. He said he did not see anything about reporting to the State. Mr. Candela said there will be multiple levels of checks and balances along with appropriate accounting. Ms. Shanahan said the City is holding itself up to a very high standard.

### **DISCUSSION ITEM**

There were no further discussions.

**ADJOURNMENT**

**\*\* MS. JOHNSON MOVED TO ADJOURN**  
**\*\* MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 9:48 p.m.

Respectfully submitted,

Rosemarie Lombardi  
Telesco Secretarial Services

## **RESPONSIBLE AND EQUITABLE REGULATION OF CANNABIS**

### **§ 1-1. Purpose**

The purpose and intent of this chapter is as follows: (1) to revoke the temporary prohibition of all cannabis establishments, thereby permitting the operation of retail cannabis establishments in the City of Norwalk; (2) to impose limitations upon the consumption of cannabis and cannabis products in public and quasi-public places; (3) to create the “Norwalk Cannabis Account,” a special fund account funded by municipal tax revenues due to retail sales of cannabis, and (4) to establish the policies and procedures of the “Norwalk Cannabis Account.”

### **§ 1-2. Definitions**

For purposes of this Chapter, the following terms have the meanings indicated:

- a. “Cannabis” means marijuana, as defined in C.G.S. § 21a-240, as the same may be amended from time to time;
- b. “Cannabis establishment” means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter as those terms are defined in C.G.S. § 21a-240 as the same may be amended from time to time;
- c. “Cannabis product” means cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption as the same may be amended from time to time. “Cannabis product” does not include the raw cannabis plant;
- d. “C.G.S.” means Connecticut General Statutes, as the same may be amended from time to time.
- e. “Consumer” means an individual who is twenty-one years of age or older as the same may be amended from time to time;
- f. “Cultivation” has the same meaning as provided in C.G.S. § 21a-408 of the C.G.S. as the same may be amended from time to time;
- g. “Cultivator” means a person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space as the same may be amended from time to time;
- h. “Dispensary facility” means a place of business where cannabis may be dispensed, sold or distributed in accordance with C.G.S. § 420f and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under C.G.S. § 420f and any regulations adopted thereunder as the same may be amended from time to time;
- i. “Employee” means an individual employed by the City or any of its agencies whether as a classified Employee, unclassified, permanent or temporary, full-time or part-time Employee or individual employed by contract on a continuing basis, and all Employees of the Norwalk public school system as the same may be amended from time to time;
- j. “Immediate Family” means a person having legal residence or living in an Officer’s or Employee’s place of residence (“household member”) or, in addition to any other definition, any person who is related to an Officer or Employee, whether by blood,

- marriage or adoption, including but not limited to, a spouse, child, grandchild, brother, sister-in-law, parent or grandparent, stepparents and stepchildren, or persons who reside in the same household as the same may be amended from time to time;
- k. “Retailer” means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs as the same may be amended from time to time;
  - l. “Sale” or “Sell” has the same meaning as provided in C.G.S. § 21a-240 as the same may be amended from time to time;
  - m. “Micro-cultivator” means a person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space as the same may be amended from time to time;
  - n. “Officer” means an individual elected or appointed to an agency, including but not limited to ad hoc or advisory committee members as the same may be amended from time to time;
  - o. “Equity” and “Equitable” means efforts, regulations, policies, programs, standards, processes and any other functions of government or principles of law and governance intended to: (A) identify and remedy past and present patterns of discrimination and disparities of race, ethnicity, gender and sexual orientation; (B) ensure that such patterns of discrimination and disparities, whether intentional or unintentional, are neither reinforced nor perpetuated; and (C) prevent the emergence and persistence of foreseeable future patterns of discrimination or disparities of race, ethnicity, gender, and sexual orientation as the same may be amended from time to time;
  - p. “Person” means an individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof as the same may be amended from time to time;
  - q. “Hybrid Retailer” means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products as the same may be amended from time to time.

### **§ 1-3. Revocation of Temporary Retail Cannabis Establishment Prohibition**

- a. Pursuant to C.G.S. § 21a-420, the City of Norwalk (the “City”) does hereby revoke the temporary prohibition of Cannabis Establishments in the City.
- b. The temporary prohibition enacted by the City on March 5, 2022 is hereby revoked as of the date of the enactment of this Chapter and the adoption of corresponding zoning regulations, thereby permitting the retail sale of cannabis and cannabis products to consumers through cannabis establishments, dispensary facilities, and hybrid retailers as permitted within the City of Norwalk Zoning Regulations. This revocation also permits the establishment of micro-cultivators as permitted within the City of Norwalk Zoning Regulations.

- c. Pursuant to C.G.S. § 21a-422g, for up to thirty days after the opening of a cannabis establishment in the City, the City may charge a cannabis establishment for any necessary and reasonable costs incurred by the City for provision of public safety services in relation to such opening, including, but not limited to, public safety costs incurred to direct traffic, not to exceed fifty thousand dollars.

#### **§ 1-4. Cannabis Consumption Restrictions**

- a. Except as otherwise set forth in this Chapter, the consumption of cannabis and cannabis products shall not occur in any form on land owned or controlled by the City including but not limited to all sidewalks, parks, beaches, and municipal-owned land or buildings.
- b. The consumption of cannabis and cannabis products shall not occur at any outdoor dining establishment as defined by § 45-29 of the Norwalk Code.
- c. Per C.G.S. § 7-148, the Mayor shall designate a place and/or places as the only public location wherein public consumption of cannabis and cannabis products is permitted only through smoking, vaping, or the consumption of edibles. Such place may be amended from time to time at the Mayor's discretion.

#### **§ 1-5. Enforcement; Fines/Citation; Hearing; Appeals**

Any person or business violating any provision of this Chapter may be subject to the following penalties:

- a. If it is determined that an individual has consumed cannabis and/or cannabis products outdoors where consumption is not permitted by this Chapter, such individual shall be subject to a fine/citation of \$50 for each violation.
- b. If it is determined that a Person permits the outdoor consumption of cannabis and/or cannabis products in violation of this Chapter, such violation shall be subject to a fine/citation of \$250 for each violation.
- c. Pursuant to C.G.S. § 51-164n, any aggrieved individual and/or Person may file an appeal to the Superior Court for the Judicial District of Stamford/Norwalk.

#### **§ 1-6. Establishment of the Norwalk Cannabis Account**

- a. Pursuant to C.G.S. § 7-148(c)(2)(K), the City does hereby create the Norwalk Cannabis Account, a special fund account for the purposes as delineated in C.G.S. § 12-330mm(b)(5) which as of the date of this Chapter consist of the following: streetscape improvements and other neighborhood developments in communities where cannabis retailers, hybrid retailers or micro-cultivators are located; education programs or youth employment and training programs in the municipality; services for individuals living in the municipality who were released from Department of Corrections custody, probation, or parole; mental health or addiction services; youth service bureaus and municipal juvenile review boards; and community civic engagement efforts.

- b. The continuation of the Norwalk Cannabis Account shall be perpetual notwithstanding that from time to time said account may be unfunded. Funds in the Norwalk Cannabis Account shall not lapse at the end of the municipal fiscal year.

**§ 1-7. Norwalk Cannabis Account Collection; Sources of Funding; Investments; limitations on use of fund.**

- a. Pursuant to C.G.S. § 12-330mm, the City's Chief Financial Officer or his, her, or their designee, shall be designated as the City official who shall receive notifications from the Connecticut Department of Revenue Services ("DRS") Commissioner regarding the municipal tax amount reported due from each cannabis retailer, hybrid retailer and micro-cultivator located in the City.
- b. The Chief Financial Officer or his, her, or their designee must submit or resubmit his/her name and contact information to DRS at least once per calendar year.
- c. The Chief Financial Officer or his, her, or their designee must act in accordance with C.G.S. § 12-330mm(b)(4) and is the individual responsible with regards to the invoicing and receipt of sums owed to the City from each cannabis retailer, hybrid retailer, and micro-cultivator located in the City.
- d. All sums received from municipal taxes owed by each cannabis retailer, hybrid retailer, and micro-cultivator located in the City must be deposited by the City into the Norwalk Cannabis Account.
- e. Additional sums may be directly appropriated by the City's Common Council for deposit into the Norwalk Cannabis Account at the discretion of the Common Council.
- f. The Norwalk Cannabis Account shall be in the custody of the City of Norwalk. All or any part of the monies in said fund may be invested in any securities with appropriate liquidity in which public funds may be lawfully invested. All income derived from such investment shall be returned to the Norwalk Cannabis Account and become a part thereof. The monies so invested shall at all times be subject to withdrawal for use as hereinafter set forth.
- g. No sums contained in the Norwalk Cannabis Account, including interest and dividends earned, shall be transferred to any other account within the City budget.

**§ 1-8. Expenditures from Norwalk Cannabis Account; Administration**

- a. The Chief of Community Services or his, her or their designee shall prepare, adopt, and publish on the City's website the Norwalk Cannabis Account Expenditure Guidelines ("Guidelines") establishing the process, procedures, guidelines, rules, and requirements for application submission pursuant to subparagraph b of this Section 1-9, and the mode, manner and means by which Norwalk Cannabis Account funds may be used by any applicant. The Guidelines shall be approved by the Common Council from time to time and, in any event, no less frequently than once every 24 months. No application for

Norwalk Cannabis Account funds shall be accepted or funds held in the Norwalk Cannabis Account be designated for a particular use or expenditure until the Guidelines have been so adopted and published.

- b. Any Person who seeks to use funds in accordance with the purposes pursuant to Section 1-6(a) of this Chapter shall apply to the Community Services Department. Applications for funds from the Norwalk Cannabis Account shall first be submitted to the Community Services Department pursuant to the Guidelines. Provided the application conforms with the Guidelines and this Chapter, the Chief of Community Services shall forward the application to the Common Council, originating in the Community Services Committee thereof, for recommendation and final action. Use of funds from the Norwalk Cannabis Account shall be subject to any and all terms and conditions imposed by the Common Council in authorizing expenditures from the Norwalk Cannabis Account, consistent with the purpose of such account as set forth in Section 1-6 of this Chapter. Applications must be reviewed by the Common Council no less than on an annual basis. The Common Council shall have the discretion to deny, in whole or in part, any application made pursuant to this Chapter.
- c. Funds held in the Norwalk Cannabis Account shall be used exclusively for the purposes pursuant to Section 1-6(a) of this Chapter.
- d. No expenditure of funds from the Norwalk Cannabis Account shall be approved except in accordance with the Guidelines; or made except in accordance with the provisions of this Chapter.
- e. No expenditure of funds from the Norwalk Cannabis Account shall be in excess of the available balance in the fund.
- f. No Officer or Employee of the City, or any member of his, her, or their Immediate Family, may receive a Financial Benefit (as such terms are defined in § 32-3 of the Norwalk Code) from or have a direct or indirect interest in any Person that receives funds from, the Norwalk Cannabis Account.

#### **§ 1-9. Norwalk Cannabis Account Reporting**

The Chief of Community Services or his, her or their designee shall, on an annual basis, or as otherwise requested by the Common Council, prepare, and deliver a written report of the amount in the Norwalk Cannabis Account and deposits and expenditures therefrom to the Common Council.

**§ 17-1 Designation; membership; technical training.**

- A. In accordance with the provisions of Connecticut General Statutes § 22a-354a, et seq. the [Planning and Zoning Commission](#) is hereby designated as the "Aquifer Protection Agency" (hereinafter the "Agency") of the City of Norwalk.
- B. Members of the [Planning and Zoning Commission](#) shall serve coexisting terms on the Agency. The membership requirements of the Agency shall be the same as those of the [Planning and Zoning Commission](#), including, but not limited to, the number of members, terms, method of selection and removal of members, and filling of vacancies.
- C. At least one member of the Agency or staff of the Agency shall complete the course in technical training formulated by the Commissioner of Environmental Protection of the State of Connecticut, pursuant to Connecticut General Statutes § 22a-354v.