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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 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 Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

COMMON COUNCIL ORDINANCE COMMITTEE

REGULAR MEETING

May 17, 2022

7:00 p.m. – By Videoconference and Teleconference

AGENDA

- 1. ROLL CALL:**
- 2. PUBLIC HEARING (possible action on):**
- 3. PUBLIC HEARING DISCUSSION:**
- 4. PUBLIC COMMENT:**
- 5. ACCEPTANCE OF MINUTES:**
 - April 19, 2022 – regular meeting of the ordinance committee
- 6. OLD BUSINESS:**
 - Discuss and vote on Pesticides ordinance.
- 7. NEW BUSINESS:**
 - Discuss and vote on Fire fighter Safety Building Marking System Sign ordinance.
 - Discuss and vote on Cannabis ordinance.
- 8. DISCUSSION ITEM:**
- 9. ADJOURNMENT:**

April 19, 2022 Draft
Ordinance Committee Minutes

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
APRIL 19, 2022 7:00PM**

ATTENDANCE: Lisa Shanahan, Chair; Tom Livingston; Nora Niedzielski-Eichner; Tom Keegan; Dominique Johnson; Joshua Goldstein

STAFF: Atty. Brian Candela

OTHER: Councilman Greg Burnett, Ken Hughes, Chris Torre, Anthony Carr, Darin Callahan

CALL TO ORDER

Chairman Shanahan called the meeting to order at 7:02. There was a quorum present.

PUBLIC PARTICIPATION

Diane Lorchella called in to first, thank the committee for the discussion at the last meeting on a ban on pesticides and second to ask the committee to investigate the biologics used to combat mosquitos in drain pipes.

She also thanked the committee for looking into affordable housing in Norwalk.

ACCEPTANCE OF MINUTES of MARCH 15, 2022

*****Mr. Livingston moved to accept the minutes of the Mar 15, 2022 meeting with the corrections as submitted.**

*****The motion passed unanimously.**

OLD BUSINESS

a) Discuss the draft of the new pesticides ordinance.

Chairman Shanahan read the purpose of the ordinance. This is a draft for new regulations concerning the use of pesticides.

The IPMT is the Inter Departmental Pest Management Team. This consists of the Director of Health, the Director of Parks and Rec, the Senior Conservation Officer, the Chief of Operations and the Director of Transportation Mobility and Parking . Chairman Shanahan suggested that maybe there should be a member of the community as well.

Chairman Shanahan wanted to emphasize the definition of organic product is based on the codes for domestic products country wide.

The goal of organics is to promote the most natural products that are most effective and the least toxic.

There is a list of chemicals that are prohibited throughout Norwalk.

Mr. Livingston discussed using organic pesticides. He stated that the goal is to ban certain pesticides unless there is special permission given by the city and only on city owned or controlled properties.

All use of pesticides will be posted on the website, so it is clear what chemicals were used where and when.

The biggest issue is poison ivy on school grounds and making sure that the chemicals do not run off into any waterways.

Mr. Goldstein asked how this new ordinance would be communicated to the people of Norwalk. Chairman Shanahan said that once the ordinance is complete there will be a series of library talks about the use of pesticides.

Ms. Niedzielski-Eichner asked about the biologics used in the drain pipes. This is handled by the Health Department and the question will be followed up with them.

Mr. Hughes talked about different types of chemical free pesticides they are trying to find which types offer the best results.

Ms. Niedzielski-Eichner asked about mosquito and tick control, especially around the schools. Mr. Hughes stated that currently the Parks and Rec Department does not do anything to mitigate ticks. There is no budget nor do they have the needed expertise.

Ms. Niedzielski-Eichner asked what further steps are considered in organic land management. Mr. Hughes gave the example of how the pollinator pathway people physically remove mugwort so this invasive species stays under control.

Next month, the ordinance will be presented to the committee again in the hopes that it will then be close to a final draft.

NEW BUSINESS

Discuss the Affordable Housing ordinance with a presentation by the following:

- a) Darin Callahan; Assistant Corporation Counsel
- a) Greg Burnett, Common Council Member

Mr. Burnett stated that the goal of the ordinance is to provide an account to house the finances of the Affordable Housing ordinance, specifically an account that doesn't lapse at the end of every year. This will keep the money separate from the annual budget process for the city.

Atty. Callahan further explained that the first step in the ordinance is to establish an account. The next step is to establish a governing body for the committee, called the Affordable Housing Committee. This should consist of a member of the Common Council, a member of the Planning and Zoning Appeals Board, a resident of affordable housing and experts in the field. There would be staggered four year terms.

The final part of the ordinance relates to how the funds will be used. The funds will go to buildings that fit the definition of affordable housing, and will go to hard building materials and costs i.e. construction and maintenance.

The last element is the approval process on how the funds will be spent.

There will be no vote on this ordinance until the final draft is submitted.

Mr. Goldstein asked why the committee has a member from the Planning and Zoning Board of Appeals, and not the Planning and Zoning Board.

Mr. Goldstein asked if there are any other non lapsing accounts in the city. There is something similair in the tree committee, but this would be the first for the city.

Ms. Niedzielski-Eichner asked why this committee would need a non-lapsing account. Atty. Callahan replied that this is because the amounts of funds are large, and you want the account to be able to accrue interest over time.

ADJOURNMENT

*****Mr. Goldstein moved to adjourn the meeting.**

*****The motion passed unanimously.**

Chairman Shanahan adjourned the meeting at 8:25.

Respectfully submitted,

Amy Chaple
Telesco Secretarial Services

Pesticides Ordinance

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.

**Fire Fighter Safety Building
Marking System Sign
Ordinance**

§ 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. This 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. With the exception of single family buildings or structures, all other buildings or structures shall have the fire fighter safety building marking system sign installed. 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 or her 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 or her 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.

Source - Connecticut Fire Safety and Prevention Code – Annex E (2018 edition)

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Cannabis Ordinance

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 work towards fulfilling the City of Norwalk's commitment towards equity and justice through the establishment of the "Norwalk Cannabis Trust Account," a special trust fund account funded by municipal tax revenues received due to retail sales of cannabis, and (4) to establish the policies and procedures of the "Norwalk Cannabis Trust Account."

Commented [JG1]: Is this how we describe restaurants, etc?

Commented [JG2]: Tom L wanted to cut this but I disagree. I think saying something here is better than just "policies and procedures"

§ 1-2. Definitions

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

- a. "Cannabis" means marijuana, as defined in Conn. Gen. Stat. § 21a-240;
- 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 Conn. Gen. Stat. § 21a-240;
- 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. "Cannabis product" does not include the raw cannabis plant;
- d. "Code Enforcement Officer" mean --- NAMES --- OR HIS/HER/THEIR DESIGNEE; C.G.S. 7-148(c)(10)(A)
- e. "Consumer" means an individual who is twenty-one years of age or older;
- f. "Cultivation" has the same meaning as provided in Conn. Gen. Stat. § 21a-408 of the general statutes;
- 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;
- h. "Dispensary facility" means a place of business where cannabis may be dispensed, sold or distributed in accordance with Conn. Gen. Stat. § 420f and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Conn. Gen. Stat. § 420f of the Connecticut General Statutes and any regulations adopted thereunder;
- 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;
- 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,

Commented [JG3]: Is this correct?

Commented [JG4]: Do we need to use this in the ordinance itself?

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;

- 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;
- l. "Sale" or "Sell" has the same meaning as provided in Conn. Gen. Stat. § 21a-240;
- 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;
- n. "Officer" means an individual elected or appointed to an agency, including but not limited to ad hoc or advisory committee members;
- 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;
- 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;
- q. "Hybrid Retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

Commented [JG5]: Use this more?

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

a. Pursuant to Conn. Gen. Stat. § 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 ___, 2022 is hereby revoked as of the date of the enactment of this ordinance, thereby permitting the retail sale of cannabis and cannabis products to consumers as permitted within the City of Norwalk Zoning Regulations.

Commented [JG6]: Sequencing...

c. Pursuant to Conn. Gen. Stat. § 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 controlled by the City including but not limited to all sidewalks, parks, beaches, and municipal-owned land or buildings. **TAXING DISTRICTS**

Commented [JG7]: Taxing districts land?

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 Conn. Gen. Stat. § 7-148, the City designates as a location wherein public consumption of cannabis and cannabis products is permitted only through smoking, vaping, or the consumption of edibles.

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

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

- a. If it is determined that a person has consumed cannabis and/or cannabis products outdoors where consumption is not permitted by this Chapter, such person shall be subject to a fine/citation of \$50 for each violation.
- b. If it is determined that a person or business permits the outdoor consumption of cannabis and/or cannabis products in violation of this Chapter:
 1. Upon the initial violation, a written warning that a violation has occurred shall be issued. No fine/citation shall be imposed for the initial violation.
 2. Any subsequent violation of the requirements of this ordinance shall be subject to a fine/citation of \$1,000 for each violation.
- c. Any aggrieved person may file an appeal to the Superior Court for the Judicial District of Stamford/Norwalk.
- d. Pursuant to this chapter, issuance and service of fines/citations, payment of fines/citations, hearings and appeals shall be enforced with the provisions of Conn. Gen. Stats. § 7-152c, as may be amended from time to time. Pursuant to Conn. Gen. Stats. § 7-152c, as may be amended from time to time, the Mayor shall appoint one or more citation hearing officers other than police officers or the Code Enforcement Officer, to conduct appeal hearings into the violation of this chapter. Said hearing officers shall be electors of the City.

§ 1-6. Establishment of the Norwalk Cannabis Trust Account

a. Pursuant to Conn. Gen. Stat. § 7-148(c)(2)(K), the City does hereby create the Norwalk Cannabis Trust Account, a special fund account for the purposes as delineated in Conn. Gen. Stat. § 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 Trust Account shall be perpetual notwithstanding that from time to time said account may be unfunded. Funds in the Norwalk Cannabis Trust Account shall not lapse at the end of the municipal fiscal year.

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

a. Pursuant to Conn. Gen. Stat. § 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 Conn. Gen. Stat. § 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 Trust Account.

e. Additional sums may be directly appropriated by the City's Common Council for deposit into the Norwalk Cannabis Trust Account at the discretion of the Common Council.

f. The Norwalk Cannabis Trust 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 Trust 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 Trust Account, including interest and dividends earned, shall be transferred to any other account within the City budget.

§ 1-8. Expenditures from Norwalk Equity Trust 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 Trust 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 Trust 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 Trust Account funds shall be accepted or funds held in the Norwalk Cannabis Trust 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 ordinance shall apply to the Community Services Department. Applications for funds from the Norwalk Cannabis Trust Account shall first be submitted to the Community Services Department pursuant to the Guidelines. Provided the application conforms with the Guidelines and this ordinance, the Chief of Community Services shall forward the application to the Common Council, originating in the Community Services Committee thereof, for final action. Use of funds from the Norwalk Cannabis Trust Account shall be subject to any and all terms and conditions imposed by the Common Council in authorizing expenditures from the Norwalk Cannabis Trust Account, consistent with the purpose of such account as set forth in 1-6. The Common Council shall have the discretion to deny, in whole or in part, any application made pursuant to this ordinance.

c. Funds held in the Norwalk Cannabis Trust Account shall be used exclusively for the purposes pursuant to Section 1-6(a) of this ordinance.

d. No expenditure of funds from the Norwalk Cannabis Trust Account shall be approved except in accordance with the Guidelines; or made except in accordance with the provisions of this ordinance.

e. No expenditure of funds from the Norwalk Cannabis Trust 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 Trust Account.

Commented [JG8]: Need to clean up?

§ 1-9. Norwalk Cannabis Trust Account Reporting

The Chief of Community Services 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 Trust Account and deposits and expenditures therefrom to the Common Council.