



## REGULAR MEETING – ORDINANCE COMMITTEE AGENDA

MAY 20, 2025, 7:00 PM  
BY ZOOM VIRTUAL MEETING

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



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



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



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

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PUBLIC HEARING**
  - A. Discuss and vote on new proposed ordinance: Use of Automated Traffic Enforcement Safety Devices
  - B. Discuss and vote on new proposed ordinance: Issuance of Citations; Hearing Procedure
- IV. **PUBLIC HEARING DISCUSSION**
- V. **PUBLIC COMMENT**
- VI. **PUBLIC PARTICIPATION**

**VII. ACCEPTANCE OF MINUTES**

- A. Discuss and Vote on April 15, 2025 – regular meeting of the ordinance committee

**VIII. OLD BUSINESS**

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

**IX. NEW BUSINESS**

- A. Discuss and vote on Vape Shop ordinance

**X. DISCUSSION**

**XI. ADJOURNMENT**

## **Legal Notice of Public Hearing**

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, May 20, 2025 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on new Chapter, Use of Automated Traffic Enforcement Safety Devices, Sections 1 through 14. 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 May 16, 2025.

### **USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES**

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

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

#### **Sec. x-2. Definitions.**

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

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

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

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

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

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

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

#### **PEDESTRIAN SAFETY ZONE**

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

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## **PERSONALLY IDENTIFIABLE INFORMATION**

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

## **SCHOOL ZONE**

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

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

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

## **VENDOR**

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

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

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

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

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

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

- (a) The Owner of a Motor Vehicle commits a violation of this Chapter if the person operating such Motor Vehicle:
- (1) Exceeds the posted speed limit by ten or more miles per hour and such operation is detected by an Automated Traffic Enforcement Safety Device; or
  - (2) Fails to stop such Motor Vehicle when facing a steady red signal on a Traffic Control Signal and such failure is detected by an Automated Traffic Enforcement Safety Device.

- (b) Automated Traffic Enforcement Safety Devices shall be used solely for identifying violations of this Chapter.
- (c) For the first thirty days after a location is equipped with an operational Automated Traffic Enforcement Safety Device, the Owner of a Motor Vehicle that allegedly violates this Chapter that is detected by such device shall receive a written warning instead of a citation.

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

- (a) Whenever an Automated Traffic Enforcement Safety Device detects and produces recorded images of a Motor Vehicle allegedly committing a violation of this Chapter, a sworn member or employee of the City's Police Department, or an employee of the City designated by the Traffic Authority, shall review and approve the recorded images provided by such device. If, after such review, the member or employee determines that there are reasonable grounds to believe that a violation of this Chapter has occurred, the member or employee may issue by a citation to the Owner of such Motor Vehicle. The citation shall be sent by first class mail.
- (b) A citation under this Chapter shall include the following:
  - (1) The name and address of the Owner of the Motor Vehicle;
  - (2) The Number Plate of the Motor Vehicle;
  - (3) The violation charged;
  - (4) The location of the Automated Traffic Enforcement Safety Device and the date and time of the violation;
  - (5) A copy of or information on how to view, through electronic means, the recorded images that captured the alleged violation;
  - (6) A statement or electronically generated affirmation by the member or employee who reviewed the recorded images and determined that a violation occurred;
  - (7) Verification that the Automated Traffic Enforcement Safety Device was operating correctly at the time of the alleged violation and the date of the most recent calibration check performed pursuant to the Act;
  - (8) The amount of the fine imposed and how to pay such fine; and
  - (9) The right to contest the violation and request a hearing pursuant to **Chapter X** of the Norwalk City Code.
- (c) In the case of an alleged violation involving a Motor Vehicle registered in Connecticut, the citation shall be mailed not later than thirty days after the identity of the Owner is ascertained to the address of the Owner that is in the records of the Connecticut Department of Motor Vehicles. In the case of an alleged violation involving a Motor Vehicle registered in another jurisdiction, the citation shall be mailed not later than thirty days after the identity of the Owner is ascertained to the address of the Owner that is in the records of the official in the other jurisdiction issuing such registration.

- (d) A citation shall be invalid unless mailed to an Owner not later than sixty days after the alleged violation.

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

- (a) The City shall impose a fine against the Owner of a Motor Vehicle that commits a violation of this Chapter.
- (b) The fine for the first violation of this Chapter shall be fifty dollars (\$50.00). The fine for each subsequent violation of this Chapter shall be seventy-five dollars (\$75.00). These fines shall be imposed against the Owner of the Motor Vehicle committing the violation.
- (c) Payment of a fine and any associated fee may be made by electronic means.
- (d) A reasonable fee, not to exceed fifteen dollars (\$15.00) per citation, may be imposed for the costs associated with the electronic processing of the payment of a fine.
- (e) Any funds received by the City from fines imposed pursuant to this Chapter shall be used solely for the purposes of improving transportation mobility, investing in transportation infrastructure improvements, or paying the costs associated with the use of Automated Traffic Enforcement Safety Devices within the City.

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

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

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

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

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

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

- (a) The operator was driving an emergency vehicle in accordance with the applicable provisions of C.G.S. § 14-283, as amended from time to time.

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

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

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

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

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

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

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

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

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

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

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

**THE HOUR: Please publish once on Friday, May 9, 2025**

## Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, May 20, 2025 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on new Chapter, Use of Automated Traffic Enforcement Safety Devices, Sections 1 through 14. 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 May 16, 2025.

### USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES

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#### AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICE OPERATOR

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

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

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

#### PEDESTRIAN SAFETY ZONE

An area designated by the Office of the State Traffic Admin-

(5) Safety Device and the date and time of the violation; A copy of or information on how to view, through electronic means, the recorded images that captured the alleged violation;

(6) A statement or electronically generated affirmation by the member or employee who reviewed the recorded images and determined that a violation occurred;

(7) Verification that the Automated Traffic Enforcement Safety Device was operating correctly at the time of the alleged violation and the date of the most recent calibration check performed pursuant to the Act;

(8) The amount of the fine imposed and how to pay such fine; and

(9) The right to contest the violation and request a hearing pursuant to Chapter X of the Norwalk City Code.

(c) In the case of an alleged violation involving a Motor Vehicle registered in Connecticut, the citation shall be mailed not later than thirty days after the identity of the Owner is ascertained to the address of the Owner that is in the records of the Connecticut Department of Motor Vehicles. In the case of an alleged violation involving a Motor Vehicle registered in another jurisdiction, the citation shall be mailed not later than thirty days after the identity of the Owner is ascertained to the address of the Owner that is in the records of the official in the other jurisdiction issuing such registration.

(d) A citation shall be invalid unless mailed to an Owner not later than sixty days after the alleged violation.

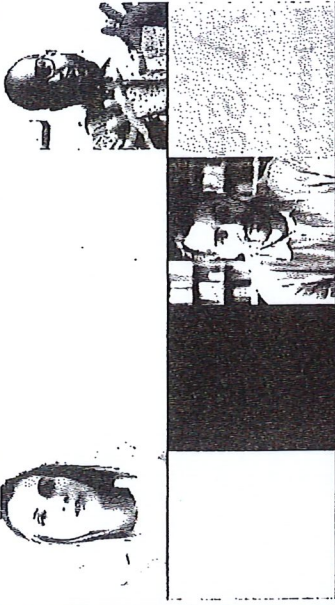
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(c) Payment of a fine and any associated fee may be made by electronic means.

(d) A reasonable fee, not to exceed fifteen dollars (\$15.00) per citation, may be imposed for the costs associated with the electronic processing of the payment of a fine.



# DROP THE F\*CK DUMP

Plate, date, time, and location of a Motor Vehicle that (1) exceeds the posted speed limit by ten or more miles per hour, or (2) fails to stop such vehicle when facing a steady red signal on a traffic control signal.

**Automated Traffic Enforcement Safety Device Operator**

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

**Motor Vehicle, Number Plate, and Owner**

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

**Pedestrian Safety Zone**

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

**Personally Identifiable Information**

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

**School Zone**

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

**Traffic Authority, Traffic Control Sign, and Traffic Control Signal**

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

**Vendor**

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

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

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

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

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

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

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

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

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

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

No Personally Identifiable Information shall be disclosed by the City or a Vendor to any person or entity, including any law enforcement unit, except where the disclosure is

# F\* BOMB



## TALK TO YOUR KIDS ABOUT FENTANYL

Fentanyl is being used to make counterfeit pills and is being laced into other illicit drugs. Make sure your teens know the facts.

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

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

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

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

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

- (a) Whenever an Automated Traffic Enforcement Safety Device detects and produces recorded images of a Motor Vehicle allegedly committing a violation of this Chapter, a sworn member or employee of the City's Police Department, or an employee of the City designated by the Traffic Authority, shall review and approve the recorded images provided by such device. If, after such review, the member or employee determines that there are reasonable grounds to believe that a violation of this Chapter has occurred, the member or employee may issue by a citation to the Owner of such Motor Vehicle. The citation shall be sent by first class mail.
- (b) A citation under this Chapter shall include the following:
  - (1) The name and address of the Owner of the Motor Vehicle;
  - (2) The Number Plate of the Motor Vehicle;
  - (3) The violation charged;
  - (4) The location of the Automated Traffic Enforcement

the Motor Vehicle had been reported as being stolen to a law enforcement unit, as defined in C.G.S. § 7-294a, as amended from time to time, and had not been recovered prior to the time of the violation.

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- (d) Any information and other data gathered from Automated Traffic Enforcement Safety Devices shall be subject to disclosure under the Freedom of Information Act, as defined in C.G.S. § 1-200, as amended from time to time, except that no Personally Identifiable Information may be disclosed.

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

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

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

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

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

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

ATTEST: Irene Dixon, City Clerk

# ABOUT FENTANYL

Fentanyl is being used to make counterfeit pills and is being laced into other illicit drugs. Make sure your teens know the facts.

Learn the facts on fentanyl and start a life-saving conversation with your teen.

## DropTheFBomb.com



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

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- (c) For the first thirty days after a location is equipped with an operational Automated Traffic Enforcement Safety Device, the Owner of a Motor Vehicle that allegedly violates this Chapter that is detected by such device shall receive a written warning instead of a citation.

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

- (a) Whenever an Automated Traffic Enforcement Safety Device detects and produces recorded images of a Motor Vehicle allegedly committing a violation of this Chapter, a sworn member or employee of the City's Police Department, or an employee of the City designated by the Traffic Authority, shall review and approve the recorded images provided by such device. If, after such review, the member or employee determines that there are reasonable grounds to believe that a violation of this Chapter has occurred, the member or employee may issue by a citation to the Owner of such Motor Vehicle. The citation shall be sent by first class mail.
- (b) A citation under this Chapter shall include the following:
- (1) The name and address of the Owner of the Motor Vehicle;
  - (2) The Number Plate of the Motor Vehicle;
  - (3) The violation charged;
  - (4) The location of the Automated Traffic Enforcement

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

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

- (a) The City shall impose a fine against the Owner of a Motor Vehicle that commits a violation of this Chapter.
- (b) The fine for the first violation of this Chapter shall be fifty dollars (\$50.00). The fine for each subsequent violation of this Chapter shall be seventy-five dollars (\$75.00). These fines shall be imposed against the Owner of the Motor Vehicle committing the violation.
- (c) Payment of a fine and any associated fee may be made by electronic means.
- (d) A reasonable fee, not to exceed fifteen dollars (\$15.00) per citation, may be imposed for the costs associated with the electronic processing of the payment of a fine.
- (e) Any funds received by the City from fines imposed pursuant to this Chapter shall be used solely for the purposes of improving transportation mobility, investing in transportation infrastructure improvements, or paying the costs associated with the use of Automated Traffic Enforcement Safety Devices within the City.

#### Sec. x-9. Appeal.

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

#### Sec. x-10. Defenses.

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

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

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

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

#### Sec. x-12. The Act.

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

#### Sec. x-13. Severability.

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

#### Sec. x-14. Repealer.

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

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

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, May 20, 2025 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on new Chapter, Issuance of Citations; Hearing Procedure, Sections 1 through 8. 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 May 16, 2025.

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

#### **§ \_\_-1. Purpose.**

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

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

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

#### **§ \_\_-3. Notice of violation.**

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

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

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

#### **§ \_\_-4. Admission of liability.**

If a cited person(s) sent notice pursuant to Section 3 wishes to admit liability for an alleged violation,

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

§ \_\_\_-5. Hearing procedure.

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

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

- A. If an assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the cited person(s) found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court, together with the applicable court costs. The certified copy of the notice of assessment shall constitute a record of assessment. Within such 12 month period, assessments against the same cited person(s) may be accrued and filed as one record of assessment. The Town Clerk shall enter judgment in the amount of said record of assessment and court costs against the cited person(s), in favor of the City. The hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment, and a levy of execution on such judgment may issue without further notice to such cited person(s).
- B. In the event that the fines, penalties, costs, and fees imposed by the hearing officer are made, ~~pursuant to the provisions of an ordinance regulating blight, adopted pursuant to Connecticut General Statutes § 7-148(e)(7)(H)(xv), as amended,~~ and the fines, penalties, costs, and fees associated with the same ~~under the blight ordinance~~ are not paid on the date of the entry of assessment, then the fines, penalties, costs, and fees shall constitute a lien of the City on the real property ~~where said blight exists~~, which lien may be continued, recorded and released in the manner provided by Connecticut law for the continuing, recording, and releasing of property tax liens. Each such lien may be enforced in the same manner as property tax liens including foreclosure of the real property. Said lien shall remain an encumbrance upon the subject property until such time as the ~~blight~~ condition has been abated and all fines, penalties, costs, and fees assessed have been paid.

**§ \_\_\_-7. Appeal.**

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

**§ \_\_\_-8. Other remedies.**

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

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

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

**THE HOUR: Please publish once on Friday, May 9, 2025**

# CLASSIFIED

NORWALK PLACE

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## PUBLIC NOTICES

### Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, May 20, 2025 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on new Chapter, Issuance of Citations; Hearing Procedure, Sections 1 through 8. 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 May 16, 2025.

#### Chapter \_\_ Issuance of Citations; Hearing Procedure

##### § \_\_-1. Purpose.

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

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

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

##### § \_\_-3. Notice of violation.

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

- A. Of the allegations against the cited person(s) and the amount of the fines, penalties, costs, or fees due;
- B. That the cited person(s) may contest liability before a hearing officer appointed by the Mayor by delivering in person or by mail written notice of demand for a hearing to the address specified in the notice within 10 days of the date thereof;
- C. That if a hearing is not so demanded, an assessment and judgment shall be entered against the cited person(s); and
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For purposes of this section, notice shall be presumed to have been properly sent if such notice was mailed to

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

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#### § \_\_-8. Other remedies.

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

ATTEST: Irene Dixon, City Clerk

**CITY OF NORWALK  
ORDINANCE COMMITTEE  
REGULAR MEETING  
APRIL 15, 2025**

**ATTENDANCE:** Lisa Shanahan, Chair; Joshua Goldstein, Johan Lopez, Nora Niedzielski-Eicher, Jalin Sead, Anne Wennerstrand, Heather Dunn (7:13 p.m.)

**OTHERS:** Atty. Brian Candela, Atty. T. Livingston, Garrett Bolella, Ryan Pothering, State of Connecticut Office of Traffic Administration; Jim Travers, Transportation, Mobility and Parking Director; Vanessa Valadares, Public Works Director; Tom, DPW

**CALL TO ORDER**

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

**ROLL CALL**

Ms. Shanahan called the roll. A quorum was present.

**PUBLIC HEARING**

**A. Discuss and vote on Chapter 73A: Parking Authority, sections 73A-1 through 73A-9**

Mr. Travers came forward to greet the Committee. This proposal would allow the Parking Authority to issue parking citations city wide. Currently they are restricted to metered areas and managed parking areas. There have been frequent requests from residents about vehicles parked too close to the corner or other parking violations. Those requests are sent to the Police Department who often don't have the resources or manpower to deal with the issue. He also mentioned resident parking issues, which have been discussed in the past.

Ms. Shanahan asked if there was anyone from the public present who wished to address the Committee on this issue. Hearing none, Ms. Shanahan closed the Public Hearing on the Parking Authority Sections 73A-1 through 73A-9.

Ms. Niedzielski-Eicher said that she remained unclear as to what the parking regulations were and where they could be found. She asked for clarification. Mr. Travers gave a brief overview. Ms. Niedzielski-Eicher had several questions about who had the authority to approve these and ordinance is located in the City Ordinances. The procedural are handled through the Parking Authority. Mr. Livingston said that the parking ordinances are in Chapter 98.

**\*\* MS. NIEDZIELSKI-EICHER MOVED TO FORWARD CHAPTER 73A: PARKING AUTHORITY, SECTIONS 73A-1 THROUGH 73A-9 TO THE FULL COUNCIL FOR APPROVAL.**

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

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

Ms. Shanahan explained that they were requesting Departments to give short synopsis of the ordinance before they open the Public Hearing.

Ms. Valadares said that this was a reflection of a new contract that will go into effect on July 1st. The ordinance changes are needed because of the new vendor's requirements.

Ms. Valadares said that the Fourth District will no longer have an opt out option because it is too confusing when properties are sold to new owners. The ordinance clarifies what is considered residential from commercial properties. The City will be replacing the current garbage collection containers and will not allow bags to be placed on the floor or in different bins.

Ms. Shanahan asked if there was anyone from the public present who wished to address the Committee on Chapter 94.

Atty. Candela noted for the record, that they had not received any emails after the first Public Hearing on Chapter 73A. They have not received any emails concerning Chapter 94.

Atty. Candela asked if there was anyone from the public present who wished to address the Committee on Chapter 94. There were no response.

Ms. Shanahan closed the Public Hearing on Chapter 94 Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site.

Atty. Candela said that this was a time sensitive matter because DPW needs time to prepare for the change.

**\*\* MR. SEAD MOVED TO FORWARD CHAPTER 94 SOLID WASTE COLLECTION & DISPOSAL; TRANSFER STATION & YARD WASTE SITE TO THE FULL COUNCIL FOR APPROVAL.**

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

**PUBLIC PARTICIPATION**

Ms. Shanahan asked if there was anyone from the public present who wished to address the Committee.

Mr. Bonnefant of Park Hill Avenue, then addressed the Committee. He expressed concerns about the automated traffic signals that were being considered. He said that they would be giving out tickets to the owners of the vehicles, not the operators. He asked what locations would be selected and which would be avoided under the guise of equity. He wished to know if an individual could pay in person rather than by credit card. Mr. Bonnefant said that he did not think that people were asking for red light cameras all over town and felt that this might create a market for stolen plates.

He said that he had noticed a number of temporary plates on vehicles that were from Texas. Traffic violation revenue goes to the State of Connecticut and parking fines stay with the Parking Authority. Norwalk won't get anything from this ordinance. He asked how they would handle tracking down mopeds or Vespa's that don't have plates.

Mr. Bonnefant thanked the Committee for their time.

*Ms. Dunn joined the meeting at 7:13 p.m.*

Atty. Candela asked if there was anyone from the public present who wished to address the Committee. There were no response. Ms. Shanahan closed the Public Comment portion of the meeting.

### **ACCEPTANCE OF MINUTES**

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

##### **1. Vote to accept and approve draft minutes from the March 18, 2025 regular meeting of the Ordinance Committee**

The Committee reviewed the minutes and made the corrections online.

**\*\* MS. NIEDZIELSKI-EICHER MOVED THE MINUTES OF THE MARCH 18, 2025 REGULAR MEETING AS CORRECTED.**

**\*\* THE MOTION PASSED WITH SIX (6) IN FAVOR (DUNN, LOPEZ, NIEDZIELSKI-EICHER, SEAD, SHANAHAN AND WENNERSTRAND) AND ONE (1) ABSTENTION (GOLDSTEIN).**

### **OLD BUSINESS**

#### **A. Discuss and vote on new proposed ordinance: Use of Automated Traffic Enforcement Safety Devices**

Mr. Livingston said that the administration was recommending the implementing the use of the automated traffic safety devices. The State has authorized the use of these cameras.

Mr. Pothering, the Transportation Supervising Engineer, was present to discuss this. He greeted the Committee members and said that the department regulates speed limits on both State and local road, along with passing lanes on State Highways. He spoke about the Traffic Safety program and the Vision Zero Council in 2021 that were developing State policies to eliminate fatalities and serious injuries for pedestrians, bicyclists, transit users, motorist and passengers on all public roads in Connecticut. The ATSD program in 2023 allowed towns to use these devices in school zones and other areas. There are certain requirements needed to use the devices. He reviewed the various items with the Committee. The first step is creating the ordinance. Along with a number of other requirements, a public hearing must be held for public comment about each location of the devices as part of the plan.

The City will have to vote to approve the plan itself before it goes to the OSDA as part of their review process. The State then reviews the plan and either accepts or denies the plan, and will include equitably distributed locations. To date, the State has received eight applications and approved one, which is for the Town of Washington. The State is working with the other municipalities on their plans. Then there is a public awareness campaign and training for the operators of the devices. After 18 months of operation, a report needs to be submitted to the OSA and the Committee on Transportation on the effective of the device. He outlined the data to be included in that report including the handling of the fines and what they can be used for. Personal data will be destroyed after a certain period of time.

Atty. Livingston pointed out the fines will be given to the City and must be used for specific TMP purposes. There is the ability to add additional amounts for administrative costs.

He also said that traffic and speeding are issues citywide and that the administration believes that these devices will help.

Mr. Travers said that the number one issue is speeding complaints from residents. The Police Chief is aware of this and this will not bypass the police officers. Officer will still be able to issue citations. This will allow for citations on streets where it is not safe to pull someone over or near school zones. This will encourage students to walk to schools. He said that this was fair and unbiased.

Mr. Bolella said that this was basically a safety program and mentioned the Norwalk crash database. In the last 10 years, there have been over 15,000 crashes related to aggressive driving and over 1,000 crashes directly related to speeding. This is part of a broader speed management strategy but doesn't replace traditional speed enforcement. The funds will go into the TMP investments based on the City's Safety Action Plan.

Mr. Goldstein asked for details about the fines and whether the State or local fines would supersede the other. Mr. Travers said that the officer issuing a ticket would be writing the citation to the individual where the device would be issuing it to the vehicle. Discussion followed.

Ms. Wennerstrand said that she supports it from a Public Safety standpoint. However, she had concerns about the public trust and developing public awareness. She asked how the other municipalities worked with the residents on this. Mr. Pothering said that having the public hearing on the locations. He added that they need the minutes from the meeting to approve the ATSD plan. Other municipalities have YouTube videos available and this is part of the public awareness. Ms. Wennerstrand asked about using social media. Mr. Pothering said that New Haven had a rather extensive public awareness campaign. Discussion followed.

Mr. Travers said that the TMP does everything as transparently as possible and will reach out to other municipalities to find out how they handled it. He went on to give an overview of their tracking of the traffic data.

Mr. Livingston said that this was not a gotcha moment. Mr. Bolella agreed and said that there would be a lot of opportunities to get the word out. There will be signage and a 30 day period when no citations will be given out.

Ms. Niedzielski-Eichner said that she had a lot of privacy concerns about this including from an immigration perspective as well. She wished to know how they would verify that the vendors would be deleting or destroying the personal data. Mr. Bolella said that there were guidelines in the statutes and it was also included in the RFQ.

Ms. Niedzielski-Eichner wished to know what remedies would be available for residents if the data was not being handled properly or the cameras were not being properly operated. Mr. Livingston said that he did not think that anyone was legally prepared to answer that question.

Ms. Niedzielski-Eichner asked what would happen if the driver of a vehicle was not the owner of the vehicle and the citation was later used against the owner of the vehicle. She asked what the remedy would be for that individual. Mr. Pothering said that the information would not be disclosed to any other agency. She said that this was against the vehicle and someone who was the owner and had not done anything wrong was being dinged. Mr. Travers said that this was no different than getting a parking ticket. Discussion followed.

Mr. Sead said that he supports this but did have concerns. He said that a number of the emails that he gets are about speeding on the same streets over and over again. People want safe streets. He said that there have been people complaining about discretionary pull overs but this will move it away from that category.

Ms. Shanahan reminded everyone that this item was being approved for a public hearing.

**\*\* MR. SEAD MOVED TO SCHEDULE THE NEW PROPOSED ORDINANCE: USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES FOR A PUBLIC HEARING.**

**\*\* THE MOTION PASSED WITH SIX (6) IN FAVOR (DUNN, GOLDSTEIN, LOPEZ, SEAD, SHANAHAN AND WENNERSTRAND) AND ONE (1) ABSTENTION (NIEDZIELSKI-EICHER).**

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

Atty. Candela said that this has been previously discussed by the Committee. He said that they reached out to Blight and Zoning. He said that their concerns were that their processes were in place and would not change. This would include others so there would be more processes and hearings for health violations or other issues so that the public has the chance to challenge citations before it goes to before an appeal is taken to Superior Court. He gave a brief overview of the process and mentioned that the City would use an independent attorney similar to what they do with Blight and Zoning.

Ms. Shanahan said that the Committee just wanted to be compatible with Blight and Zoning. Atty. Candela said that as long as someone was not doing something malicious, intentional or reckless and were doing something normal and within the course of their scope of employment, they would be covered by this or 67A of the code. This will go for all the citation hearing officers and the City may have to retain additional officers for this.

Ms. Niedzielski-Eichner asked if this would be the process that would handle those who had speeding tickets or parking violations. Atty. Candela said that the Law Department deals with parking tickets issued by both the police and the Parking Authority. The Law Department would prefer to send this forward to a Citation Hearing Officer since the Law Department is small, so an independent attorney would be hearing these. Health violations would also be handled this way. The speeding tickets would most likely be handled this way since it is similar to a parking ticket. It would be good to have an attorney that understands the laws and could hear the arguments. Violations that are tied to real property may also be handled by this ordinance and could include leaf blowers. Discussion followed.

Ms. Dunn asked how they would find attorneys for these cases. Atty. Candela said that there were some attorneys that work with Blight and Zoning, so they would have to check into it. He said that he didn't have an answer to that question. He said that it would be important to know when the Committee would want to start. That would give the Law Department time to find volunteers to hear the cases.

Ms. Niedzielski-Eichner asked if there would be a per diem rater or if that would even be considered. Atty. Candela said that the Law Department sits as the arbiter of the parking tickets right now. He said that he would prefer to avoid this so there are no future conflicts. He mentioned former City Counsel Bob Maslin who was very good and knowledgeable.

Ms. Niedzielski-Eichner asked about Section 3 and said that 12 months seems very long to her. She suggested that it be made a shorter window. Atty. Candela said that the 12 month window is

from the State statute. The State wants to have these cases before the citation officer as quickly as possible. Atty. Candela said that there have been some times the citation officer is the one asking for a continuance.

Ms. Niedzielski-Eichner said that she believes 30 days is a little short. Atty. Candela said that if the State statute doesn't indicate 30 days, that is something that they can talk about and potentially change.

**\*\* MS. NIEDZIELSKI-EICHNER MOVED TO SCHEDULE THE NEW PROPOSED ORDINANCE: ISSUANCE OF CITATIONS; HEARING PROCEDURE FOR A PUBLIC HEARING IN MAY.**

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

### **NEW BUSINESS**

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

Atty. Candela said that this was time sensitive and addressed issues about subsequent employment when an individual has served as an officer or employee and working for the same agency. He gave an overview of the problem with the Health Department retaining Medical Directors. She said that there was a candidate with a strong resume. They were requesting that this position be the one exception to the ordinance.

Ms. Niedzielski-Eichner said that allowing one particular position seemed strange, but she didn't see a conflict with having a Commissioner becoming an employee.

Ms. Wennerstrand asked if it would set a precedent for the future. Atty. Candela said that they had crafted the language for this specific position. Discussion followed. Atty. Candela said that he could develop some additional language to clarify this issue and bring it back to the Committee. He said that he would be happy to work with the Committee members on the language. He added that they could ask for an advisory opinion from the Ethics Committee about this and use that as a guide. Atty. Candela said that they had already presented this to the Ethics Committee.

### **DISCUSSION**

There were no items for additional discussion at this time.

### **ADJOURNMENT**

**\*\* MS. NIEDZIELSKI-EICHNER MOVED TO ADJOURN.**

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

The meeting adjourned at 8:15 p.m.

Respectfully submitted

S. L. Soltes  
Telesco Secretarial Services.

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

- A. An Individual who has served as an Officer or Employee shall not within one year after termination of his or her service, assist any third party, for monetary or other valuable compensation, before the Agency for which the Officer or Employee served or was employed, in any matter in which said Officer or Employee participated personally and substantially during his or her service with the City.
  
- B. No Agency shall employ any Individual who has served as an Officer of the Agency during the preceding 12 months or any Immediate Family member of an Individual who has served as an Officer of the Agency during the preceding ~~twelve~~(12) months. Notwithstanding the provisions of this Chapter, an Individual who has served as an Officer of an Agency during the preceding 12 months can seek an exemption from this specific section to pursue employment with that same Agency by requesting a no conflict opinion from the Board of Ethics.

## VAPE SHOPS

### Article II. License to Sell Vape Products.

#### § \_\_\_\_-4. Filing of Application; Filing Fee.

Each Applicant for a license to sell Vape Products shall file an application with the City Clerk and shall pay a filing fee in an amount set by the City Clerk and approved by the Common Council. Such fee is due and payable at the time of application and is not refundable. Initial applications for licenses for existing Retailers to sell Vape Products are due no later than September 1, 2025, and upon issuance, such license will be valid until December 31, 2025. There will be no fees for these initial applications. Fees for licenses shall be collected for the license period commencing on January 1, 2026, and all subsequent years.

#### § \_\_\_\_-6. Application; Notification of Denial.

Applications for licenses to sell Vape Products shall be submitted to the City Clerk not more not less than 60 days after the effective date of this Chapter for an existing Retailer. A new Retailer shall submit an application for a license to sell Vape Products at least 60 days before the proposed opening of its establishment. establishment or for the opening of a new establishment. A copy of the application shall be simultaneously submitted to the Chief of Police and the ~~Town-City~~ Clerk. Any license issued under this Chapter shall be valid until the next renewal date unless suspended or revoked. Upon denial of an application, the City Clerk shall notify the Applicant in writing not less than 30 days after receipt. The denial shall include the facts and specific sections of this Chapter upon which the determination was made. Notification shall be sent by certified mail to the Applicant's residence or place of business. Said notification shall be deemed complete seven days following the date of mailing.

#### § \_\_\_\_-7. Issuance of License.

- A. The City Clerk shall issue a license to sell Vape Products within 45 days following receipt of the application, provided the application complies with the provisions of this Chapter and upon finding:
- (1) All requirements concerning operations and facilities described in this Chapter will be complied with as of the effective date of the permit.
  - (2) Compliance with all other statutes, codes or ordinances, including health, zoning, building, fire and safety requirements of the City and the State of Connecticut as of the effective date of the license.
  - (3) Applicant/Retailer has not had two or more violations of any provision of the Norwalk City Code within the last 24 months.
  - (4) Applicant/Retailer has no outstanding violations of any provision of the Norwalk City Code.
  - (5) Neither the Applicant, if a natural person, nor any shareholder, director, officer, member, or partner of the Applicant, if the Applicant is not a natural person, has

been convicted of any felony.

(6) The Applicant is at least 21 years of age.

B. Upon issuance, the license shall be valid for a period beginning with the date of the license until December 31st of that same year, a period beginning with the date of the license to the first day of January next succeeding the date of license unless sooner suspended or revoked in accordance with this Chapter, or unless the Retailer to whom it was issued discontinues the business. In either case, the holder of the license shall immediately return it to the City Clerk.

#### **Article IV. Compliance; Violations and Penalties.**

##### **§ \_\_\_\_-13. Violations and Penalties.**

A. Violations.

- (1) Any Retailer who violates any of the provisions of this Chapter shall be guilty of an infraction and subject to civil penalty fine, suspension, and/or revocation of the license. Each violation, and every day in which a violation occurs, shall constitute a separate and distinct infraction.
- (2) In the event that a violation has occurred, the City Clerk shall have 30 days from the date of the violation to issue notice of said violation via written order to the Retailer. The order shall specify the section of this Chapter of which the Retailer is in violation and shall specify the penalty for non-compliance. Notification shall be sent by certified mail to the Applicant's residence or place of business. Said notification shall be deemed complete seven days following the date of mailing.
- (3) A Retailer shall be found in violation of this Chapter if:
  - (a) The Retailer or any Salesperson Sells Vape Products to any person under the age of 21 years.
  - (b) The Retailer fails to post signage and license as required.
  - (c) The Retailer fails to pay any fines imposed in accordance this Chapter.
  - (d) The Retailer or any Salesperson Sells or uses on the premises any narcotic substance or any controlled drug as defined in Section 21a-242 of the Connecticut General Statutes, as amended from time to time.
  - (e) The Retailer fails to maintain standards prescribed by the Connecticut Department of Public Health or the City's Health Department, or their respective successors.
  - (f) The Retailer or any Salesperson refuses to submit to the City Clerk any reports or make available any records required in investigating the establishment for the purpose of ensuring compliance with this Chapter.

- (g) The Retailer or any Salesperson fails or refuses to submit to an investigation by persons authorized by law to conduct fire, building, health, or law enforcement related inspections.
- (h) The Retailer or any Salesperson violates state or local Vape Products sales and use laws.
- (i) The Retailer or any Salesperson violates any of the provisions of this Chapter, or any rules and regulations established by the City Clerk, pursuant to this Chapter.
- (j) The Retailer or any Salesperson furnishes or makes any misleading or false statements or reports in relation to this Chapter, including in connection with an application for an initial or renewal license or an inspection under this Chapter.
- (k) Upon suspension or revocation of a license, the Retailer fails to remove all Vape Products from the premises.

B. Penalties.

- (1) If the Chief of Police or the Director of Health find that a Retailer is in violation of this Chapter, it shall be punishable by a fine, suspension, and/or revocation of the license as follows:
  - (a) Upon the first violation of this Chapter, the Chief of Police, the Director of Health, or their respective designees, shall impose a fine of \$250.00.
  - (b) If a second violation of this Chapter is issued within a 12-month period following the first violation, the Retailer's license shall be suspended for 6 months by the ~~City Clerk~~Director of Health. Upon suspension of a license, all Vape Products shall be removed from the premises. Failure to remove shall constitute a separate violation for each and every day of noncompliance.
  - (c) If a third violation of this Chapter is issued within a 24-month period following the first violation, the Retailer's license shall be revoked by the ~~City Clerk~~Director of Health. Upon revocation of a license, all Vape Products shall be removed from the premises. Failure to remove shall constitute a separate violation for each and every day of noncompliance.

C. Upon suspension or revocation of a license, all Vape Products shall be removed from the premises within 7 days from the date of suspension or revocation.

**Article IV. Effective Date.**

This Chapter shall take effect on ~~July~~August 1, 2025.