

**AD HOC COMMITTEE – CHANGE OF ORDINANCE 8-33, 8-34
TUESDAY, APRIL 6, 2010**

Chairman Phil Curran called the meeting to order at 5:50 p.m. In attendance were committee members Bob Riley and Fred Visconti, Fire Marshal Jim Johnson, Fire Chief Jeff Herald, Corporation Counsel Robin Edwards and ex-officio Jack Knapp, Don Taylor and Gregg Seabury

Mr. Curran said this was a continuation of a March, 2009 meeting regarding a change of ordinance sec. 8-33 and 8-34. Mr. Johnson said in amending sec. 8-33, they want a change that will bring the fee charged for inspecting hotel rooms to \$15.00 per room. This would be more in line with fees charged for residential units which is \$25.00 per apartment.

Mr. Curran asked about new store fees. Mr. Johnson said section 8-34 has a new fee structure. The potential revenue from all inspections could be over \$100,000.00 which would go into the General Fund.

Mr. Riley moved to adopt a resolution to recommend that the Council adopt Code Section 8-33 as amended and 8-34 as newly proposed. Seconded by Mr. Visconti. Motion passed unanimously.

Mr. Visconti moved to adjourn. Seconded by Mr. Riley. **Motion passed unanimously.** The meeting adjourned at 6:15 p.m.

Respectfully submitted,

Phil Curran, Chairman

Robert Riley

Fred Visconti

22-1



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2010

Be it ordained by the City Council of the City of Danbury:

That Section 8-33 of the Code of Ordinances of Danbury, Connecticut, is hereby amended to read as follows:

Section 8-33 Fire Marshal Inspections- Fees for Inspections

(a) Liquor Licenses.

- (1) The Fire Marshal or his designee shall inspect or cause to be inspected any premises applying for a new or existing liquor license. A one hundred dollar (\$100.00) fee for all liquor permits allowing the retail sale, serving and consuming of liquor on the premises shall be paid to the City of Danbury prior to the Fire Marshal's inspection of all such premises which fall within the following categories: café permit; charitable organization permit; club permit; nonprofit club permit; concession permit; golf country club permit; hotel permit; resort permit; restaurant permit; special event permit; special sporting facility permit; stadium permit; tavern permit; temporary permit for beer and/or wine only; and university permit.
- (2) Inspection of the premises shall be made to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations as may be amended from time to time. Said inspection shall be carried out simultaneously with all other required inspections. All separate fee schedules shall be adhered to.

(b) Assembly Occupancies.

- (1) The Fire Marshal or his designee shall inspect, or cause to be inspected, annually all assembly occupancies, with a minimum of fifty (50) occupants, or rented to the public for social functions or parties. The Fire Marshal shall require a license to be issued by his office. A fee of fifty dollars (\$50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all Class A, Class B or Class C facilities.
- (2) Said annual inspection shall coincide with any other necessary inspections for licenses; such as a liquor license, health certificate and vendor permits with LPG tanks only. Inspection of assembly occupancies shall be made to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations as may be amended from time to time. Said inspection shall be carried out simultaneously with all other required inspections. All separate fee schedules shall be adhered to.

(c) Child Day Care Centers.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all child day care centers in which more than twelve (12) children receive care, maintenance and supervision, by other than relatives or legal guardians, to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations. A fee of one hundred dollars (\$100.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all day care centers.

(d) Group Day Care Homes.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all group day care homes in which at least seven (7) but not more than twelve (12) children receive care, maintenance and supervision, by other than their relatives or legal guardians, to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations. A fee of fifty dollars (\$50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all group day care homes.

(e) (1) Nursing Homes.

The Fire Marshal or his designee shall inspect or cause to be inspected bi-annually all nursing homes in which persons are cared for or live in a supervised environment and have physical limitations because of health or age, and receive medical treatment or other care and treatment, to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations. A fee of one hundred dollars (\$100.00) shall be paid to the City of Danbury prior to the bi-annual Fire Marshal's inspection of all nursing homes.

(2) Assisted Living Facilities.

The Fire Marshal or his designee shall inspect or cause to be inspected bi-annually all Assisted Living facilities in which persons live in a supervised residential environment which provides personal care services to insure compliance with the Connecticut State Fire Safety Code. A fee of fifteen dollars (\$15.00) per unit shall be paid to the City of Danbury prior to the bi-annual Fire Marshal's inspection of all Assisted Living facilities.

(f) Lodging and Rooming Houses.

- (1) The Fire Marshal or his designee shall inspect or cause to be inspected annually all lodging and rooming houses, in accordance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations and issue an approval to the Department of Health and Housing to license such occupancy upon compliance.
- (2) A fee of fifty dollars (\$50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all lodging and rooming houses. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(g) Dry Cleaning Establishments.

The Fire Marshal or his designee shall inspect or cause to be inspected tri-annually all dry cleaning establishments to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations as may be amended from time to time. A fee of fifty dollars (\$50.00) shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all dry cleaning establishments.

(h) Carnivals.

The Fire Marshal or his designee shall inspect or cause to be inspected all carnival events prior to issuing approval to operate. The party sponsoring the carnival event using tents, portable cooking devices, rides, amusements and any other such activity, or combination thereof for any reason or cause, shall schedule an inspection with the Fire Marshal's office not less than thirty (30) days prior to the scheduled event. Also, not less than thirty (30) days prior to the scheduled event a plot plan showing all rides, booths, concessions, and amusements shall be submitted to the Fire Marshal's office along with all other relevant documents. A fee of seventy-five dollars (\$75.00) shall be paid to the City of Danbury prior to the Fire Marshal's review of the plot plan and inspection of the site.

(i) Hotels.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all hotels to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations. For the purposes of this Ordinance, a hotel is defined as a building or a group of buildings under the same management in which there are more than sixteen (16) sleeping accommodations used primarily by transients for lodging, with or without meals, whether designed as a hotel, inn, club, motel, apartment, hotel or by any other name. A fee of fifteen dollars (\$15.00) per unit shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all hotels. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(j) Cargo Tank Motor Vehicles.

The Fire Marshal or his designee shall inspect or cause to be inspected annually any motor vehicle registered within his jurisdiction that is used for the storage or transportation of any bulk flammable or combustible liquids, liquid petroleum gas, or liquefied natural gas, or any other hazardous materials for the purpose of issuing a certificate as directed by Sections 29-322, 29-332 and 29-339 of the applicable Connecticut General Statutes and regulations. A fee of fifty dollars (\$50.00) per sticker shall be paid to the City of Danbury prior to the annual Fire Marshal's inspection of all cargo tank motor vehicles.

(k) Vendor Permits/LPG Tanks.

The Fire Marshal or his designee shall inspect or cause to be inspected annually any carts or vehicles of vendor permit applicants which use liquefied petroleum gas as a fuel for cooking. Each liquefied petroleum gas tank and piping shall be installed and mounted per NFPA 58 Standards. At the time of application, a fee of twenty dollars (\$20.00) shall be paid to the City of Danbury and the cart or vehicle brought to the Fire Marshal's parking lot at the Danbury City Hall for inspection. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(l) Three family or more dwellings; Apartment Houses, Garden Apartments and Townhouses.

The Fire Marshal or his designee shall inspect or cause to be inspected annually all residential buildings designed to be occupied by three or more families, including but not limited to, three family or greater dwellings, apartment houses, garden apartments and townhouses. Upon the scheduling of an inspection a fee of twenty-five dollars (\$25.00) per unit shall be paid to the City of Danbury. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(m) Portable shelters housing 100 or more persons.

The Fire Marshal or his designee shall inspect or cause to be inspected all tents, air supported plastic or fabric or other portable shelters governed by Section 29-140 of the applicable Connecticut General Statutes and regulations, and intended for assembly of one hundred or more persons. At the time of application for a permit to erect such a portable shelter, a fee of twenty-five dollars (\$25.00) shall be paid to the City of Danbury. Said inspection shall be carried out simultaneously with any other required inspections. All separate fee schedules shall be adhered to.

(n) Public Service Stations.

The Fire Marshal or his designee shall inspect or cause to be inspected tri-annually all public service stations to insure compliance with the Connecticut State Fire Safety Code and the applicable Connecticut General Statutes and regulations as may be amended from time to time. A fee of twenty-five dollars (\$25.00) per pump shall be paid to the City of Danbury prior to the Fire Marshal's tri-annual inspection of Public Service Stations.

(o) Failure to Pay Inspection Fees.

The owner or occupant of any property inspected by the Office of the Fire Marshal shall pay the inspection fee within ten (10) days of receiving an invoice from the Office of the Fire Marshal. All such fees paid to the Office of the Fire Marshal shall be nonrefundable. In the event of failure to pay an inspection fee when due, the Fire Marshal shall issue a notice of failure to pay together with an invoice demanding payment of the inspection fee. Further action to collect the inspection fee shall be in accordance with the procedures set forth in Section 12-35 Citation hearing procedure, of the Danbury Code of Ordinances pertaining to enforcement, appeals and hearing.

- (1) All premises subject to inspection shall be so inspected by the Fire Marshal pursuant to the provisions of the applicable Connecticut General Statutes and regulations as amended and all other applicable codes. Such inspections shall be scheduled and conducted at the discretion of the Fire Marshal in accordance with state law.
- (2) If an applicant fails a first inspection, a re-inspection fee may be applied at the discretion of the Fire Marshal. A fee of \$25 shall be paid for each additional inspection conducted by the Office of the Fire Marshal until the subject approval is issued.
- (3) No fees set forth in this section shall apply to inspections of property owned or operated by municipal or state governmental agencies, subdivisions, or entities.



22-5

ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of the City of Danbury, Connecticut is hereby further amended by adding a section, to be numbered 8-34, which said section shall read as follows:

8-34. Other Permits and Inspections. When the Office of the Fire Marshal performs an inspection the fees for such inspection will be as noted below. Government, public education and non-profit organizations are exempt from fees but are subject to inspection.

Blasting Permits	\$30.00 (as is established by State Statute)
Exhibitions	\$75.00 – plus cost of personnel hired per regulations
Explosives/Fireworks Storage & Magazines	\$50.00
Fireworks/Special Effects	\$75.00 - plus cost of personnel hired per regulations
Tents/Canopies (for assembly purposes over 100 persons)	\$25.00

(a) Plan Review. When any person, firm, business or other entity submits a plan, application or other document in connection with a building permit for review and/or approval to the Office of the Fire Marshal, the fees for said review and/or approval shall be based on aggregate square footage as set out below. At the discretion of the Fire Marshal, plans for buildings/systems exceeding 5,000 square feet may be required to have an independent plan review conducted by a pre-approved reviewer of the applicant's choice with any costs of such review borne by the applicant. Reports developed by the independent review must be reviewed for acceptance by the Fire Marshal and all fees connected with said review paid prior to approval for permit.

Building up to	2,000 sq.ft.	\$50.00
	2,000 to 4,999 sq.ft.	\$100.00
	5,000 to 9,999 sq.ft.	\$350.00
	10,000 to 25,000 sq.ft.	\$500.00
	25,000 to 50,000 sq.ft.	\$750.00
	over 50,000 sq.ft.	\$1500.00
Fire Alarm System	up to 5,000 sq.ft.	\$50.00
	5,000 to 9,999 sq.ft.	\$100.00
	10,000 to 49,999 sq.ft.	\$200.00
	Greater than 50,000 sq.ft.	\$300.00
Fire Sprinkler System	up to 5,000 sq.ft.	\$50.00
	5,000 to 9,999 sq.ft.	\$100.00
	10,000 to 49,999 sq.ft.	\$300.00
	Greater than 50,000 sq.ft.	\$500.00
Food Service Hood & Exhaust Systems		\$100.00 per system
Gas Station (as defined in CGS 29-320)		\$15.00 per dispenser
Other Special Fire Protection Systems (FM200, CO2, Halon, etc)		\$100.00 per system
Resubmittal fee for previously rejected plans		½ base fee

Resubmittal fee for modified approved plans

1/3 base fee

(b) Inspections.

If an applicant for any permit fails a first inspection, a reinspection fee may be applied at the discretion of the Fire Marshal of \$25 shall be paid for each additional inspection conducted by the Office of the Fire Marshal until the subject approval is issued.

(c) Enforcement

Enforcement for failure to pay fees will be in accordance with Connecticut General Statute Sections 7-148 and 7-152c and the City of Danbury Ordinance adopted pursuant to those statutory sections, as amended.