

**~CITY OF DANBURYCOMMON COUNCIL~**  
**Committee of the Whole Meeting Minutes**  
**Tuesday, March 18, 2008**

Hon. Mark D. Boughton, Mayor  
Common Council Members

President Joseph M. Cavo called the Committee of the Whole Meeting to order at 7:47 p.m. on Tuesday, March 18, 2008. Present were Council members: Louise P. McMahon, Shailesh Nagarsheth, James H. Johnson, Charles Trombetta, Michael J. Calandrino, Duane E. Perkins, Fred Visconti, Benjamin Chianese, John J. Esposito, Thomas J. Saadi, Paul T. Rotello, Jane Diggs, Mary Teicholz, Robert Arconti, Philip Curran, Jack Knapp, Warren Levy, Robert T. Riley, Gregg W. Seabury and Colleen A. Stanley.

Absent: None.

PRESENT: 21, ABSENT: 0

Also present were Laszlo L. Pinter, Corporation Counsel; Alan D. Baker, Chief of Police; interested citizens; and members of the press.

Mr. Cavo asked Ms. Holding to call Roll.

**AMENDMENT TO ORDINANCES:**

- **Illegally Parked Motor Vehicles, Chapter 19, Division 4, Section 19-75, 19-76**
- **Cars on Front Lawns and Yards, Chapter 19, Division 5 (New)**
- **Citations, Section 12-34**

A motion was made by Councilman Seabury and seconded by Councilman Perkins that the Common Council recommend approval of the Amendment to the Code of Ordinances Section 19-75, Section 19-76 and Section 12-34 as specified and the adoption of the new Code of Ordinance of Division 5, Sections 19-77-19-80.

*Alan D. Baker, Chief of Police presented for this item. Councilman Chianese asked the Chief if the suggestion made during the Public Hearing wherein public members could assist the Police Department by taking pictures of the vehicles illegally parking on lawns could take place. The Chief referred the question to Mr. Pinter. Mr. Pinter said that so long as invasion of one's privacy does not occur, it could be looked upon as a reasonable additional procedure to monitor the problems. Photographs could not depict activity in one's home. Councilman Visconti asked the Chief for his input on the changes being made. Chief Baker said it doesn't affect his Department as abandoned vehicles on private property falls under the jurisdiction of the Zoning Officer. Councilman Trombetta expressed concern with members of the public taking pictures not only*

*because of the possibility of invading someone's privacy but moreso because of the safety concerns of the individual taking the pictures. He felt the City has the means to take care of the situation at hand. Councilman Knapp pointed out that Zoning Enforcement is spread very thin and anything the City can do to help, should be done. Councilman Trombetta asked if members of the public could be deputized to assist the ZEO. Mr. Pinter said no, the liability exposure is too great and the ZEO has special training and legal powers that cannot be assumed by a lay person. When homeowners turn their front lawns into parking lots, Councilman Levy asked how that situation is dealt with. Mr. Pinter explained that if a homeowner has received approval for any parking area on their property, the proposed laws would not apply to them. However, areas that have not been approved by City officials, paved or unpaved, the ZEO would be able to render the appropriate fine and/or take necessary action. Councilwoman Diggs asked what the fine amount was for illegally parked cars. Mr. Pinter said that a proposal for adjustments in the citation amounts will be forthcoming before the Common Council. As it stands at the moment, there is a \$90 per vehicle/per day citation fine and a \$150 per vehicle/per day ZEO fine—the fee is dictated by who is issuing the fine.*

The motion carried unanimously.

A motion was made by Councilman Rotello and seconded by Councilman Seabury that the Common Council Meeting be adjourned. The motion carried unanimously at 9:15 p.m.

Respectfully submitted,

Amy Holding  
Recording Secretary

Attest,

President Joseph M. Cavo

22-A



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

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

THAT Division 4 of Chapter 19 of the Code of Ordinances of the City of Danbury, Sections 19-75 and 19-76 are hereby amended and subsections (a) and (b) are added to Section 19-75 as follows:

Sec. 19-75. Parking, storing or leaving on property without consent of property owner prohibited.

(a) Prohibition.

No person shall park, store or leave any motor vehicle of any kind which is abandoned, inoperative or unregistered upon property other than that owned by him without the consent of the owner thereof.

(b) *Enforcement by citation.*

Enforcement of Section 19-75 by the UNIT official, in addition to other remedies, may be by citation procedure as established by Code Section 12-34 and 12-35.

Sec. 19-76. Procedure for removal.

(a) *Notification sticker, required information; chief of police to be informed.*

Any officer of the Danbury Police Department, or such member of the Unified Neighborhood Inspection Team ("UNIT") duly authorized and designated by the Mayor for the purposes hereof as required by law, shall, upon initial discovery of an abandoned, inoperative or unregistered motor vehicle, affix to that vehicle, in a manner readily visible, a notification sticker containing the following information:

- (1) The date and time when the sticker was affixed;
- (2) A statement that the vehicle must be removed within thirty (30) days;
- (3) A location and telephone number where additional information can be obtained;
- (4) The identity of the affixing officer.

In addition, the affixing officer shall inform the chief of police in writing of the location and description of each such abandoned, inoperative or unregistered motor vehicle.

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## COPY SHOWING DELETIONS AND NEW LANGUAGE

THAT Division 4 of Chapter 19 of the Code of Ordinances of the City of Danbury, Sections 19-75 and 19-76 are hereby amended and subsections (a) and (b) are added to Section 19-75 as follows:

Sec. 19-75. Parking, storing or leaving on property without consent of property owner prohibited.

(a) PROHIBITION.

No person shall park, store or leave any motor vehicle of any kind which is abandoned, inoperative or unregistered upon property other than THAT OWNED BY HIM ~~his own~~ without the consent of the owner thereof.

(b) ENFORCEMENT BY CITATION.

ENFORCEMENT OF SECTION 19-75 BY THE UNIT OFFICIAL, IN ADDITION TO OTHER REMEDIES, MAY BE BY CITATION PROCEDURE AS ESTABLISHED BY CODE SECTION 12-34 AND 12-35.

Sec. 19-76. Procedure for removal.

(a) *Notification sticker, required information; chief of police to be informed.*

Any officer of the Danbury Police Department, OR SUCH MEMBER OF THE UNIFIED NEIGHBORHOOD INSPECTION TEAM ("UNIT") DULY AUTHORIZED AND DESIGNATED BY THE MAYOR FOR THE PURPOSES HEREOF AS REQUIRED BY LAW, shall, upon initial discovery of an abandoned, inoperative or unregistered motor vehicle, affix to that vehicle, in a manner readily visible, a notification sticker containing the following information:

- (1) The date and time when the sticker was affixed;
- (2) A statement that the vehicle must be removed within thirty (30) days;
- (3) A location and telephone number where additional information can be obtained;
- (4) The identity of the affixing officer.

In addition, the affixing officer shall inform the chief of police in writing of the location and description of each such abandoned, inoperative or unregistered motor vehicle.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.



22-13

**ORDINANCE**  
CITY OF DANBURY, STATE OF CONNECTICUT  
**COMMON COUNCIL**

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

THAT Chapter 19 of the Code of Ordinances of the City of Danbury is hereby amended by adding a Division 5 which shall read as follows:

**DIVISION 5. PARKING, STORING OR KEEPING OF MOTOR VEHICLES ON FRONT LAWNS AND FRONT YARDS**

Sec. 19-77. Declared public nuisance; authority to abate.

The common council, pursuant to authority contained in Section 7-148 of the Connecticut General Statutes, declares that motor vehicles parked, stored or kept upon front lawns and yards within the limits of the city represent a public nuisance and a hazard to the health and welfare of the citizens of the City of Danbury and may be abated in accordance with the provisions of this section and in accordance with other provisions of law.

Sec. 19-78. Parking or storing a motor vehicle on a front lawn or yard prohibited.

No person shall park, store or keep any motor vehicle upon any front lawn or yard within the limits of the City of Danbury.

Sec. 19-79. Procedure for enforcement.

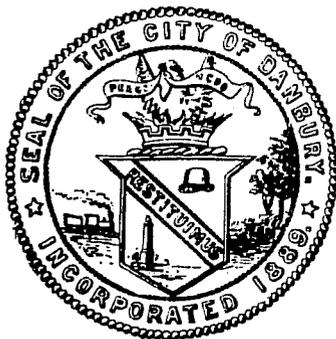
Enforcement of this division shall be in accordance with such enforcement procedures and by such officials as are designated by and consistent with Sections 19-75 and 19-76 of Division 4 of this article, which include any officer of the Danbury Police Department and a duly designated official of the Unified Neighborhood Inspection Team ("UNIT"), and may be utilized in addition to the removal and enforcement procedures as may be set forth in the Zoning Regulations of the City of Danbury.

Sec. 19-80. Definitions. Penalty by Citation.

Definition of "lawn" and "yard" as well as other terms herein are as set forth either by Connecticut General Statutes or the Zoning Regulations of the City of Danbury as amended.

Unless otherwise provided, the maximum daily penalty by citation for any violation of Division 5 shall be Two Hundred Fifty Dollars (\$250.00).

22-C



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

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

THAT Subsection 12-34(b) of the Code of Ordinances of Danbury, Connecticut is hereby amended by adding paragraph (10), which said paragraph reads as follows:

**Sec. 12-34. Citations.**

(b)(10) The UNIT official designated to enforce violations of Division 4 and Division 5 of Chapter 19 of the Code of Ordinances shall be authorized to issue citations imposing fines for violation thereof.