

Committee of the Whole

Mayor Mark D. Boughton
Members of the Danbury City Council

Council President Cavo called the Committee of the Whole meeting to order at 7:36 pm on December 13, 2010.

Present were Council Members: Robert Arconti, Philip Curran, Nancy Deep-Damici, Robert Riley, Colleen Stanley, Philip Colla, Don Taylor, Michael Halas, Shay Nagarsheth, Joseph Cavo, Thomas Saadi, Fred Visconti, Charles Trombetta, Jack Knapp, Peter Nero, Paul T. Rotello, Mary Teicholz, Sal Tumino

PRESENT: 18 ABSENT: 3

Council member Perkins was working, council member Seabury had a family event and council member Chianese had another commitment.

Council member Nagarsheth moved to receive and adopt the proposed amendment to Code of Ordinance- Section 8-33 and Section 8-34 and adopt the Resolution, seconded by Council member Visconti.

Fire Marshall James Johnson gave a brief overview of the plan review process.

Motion passed by unanimous vote.

Members of the Council were invited to Fire Headquarters to see the two new engines, # 21 and #11.

Council member Saadi moved to adjourn the meeting at 7:40 pm, seconded by Council member Nero. ***Motion passed by unanimous vote.***

Respectfully submitted,

Joseph Cavo, President



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 every two (2) years 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 Fire Marshal's inspection of all nursing homes every two (2) years.

(2) Assisted Living Facilities.

The Fire Marshal or his designee shall inspect or cause to be inspected every two (2) years 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 Fire Marshal's inspection of all Assisted Living facilities every two (2) years.

(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 every three (3) years 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 every three (3) years 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 inspection of Public Service Stations every two (2) years.

(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.



ORDINANCE

13-5

CITY OF DANBURY, STATE OF CONNECTICUT CITY COUNCIL

_____ A.D. 2010

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

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

Sec. 8-34 Fire Marshal Plan Review Fees

(a) Plan Review.

- (1) 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 reviewer must be reviewed for acceptance by the Fire Marshal and all fees connected with said review paid by the applicant 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
Public Service Station		\$35.00 per dispenser
Other Special Fire Protection Extinguishing Systems (FM200, CO2, Halon, Dry Chemical and other Special Extinguishing Systems)		\$100.00 per system
Re-submittal fees:		
a.) for previously rejected plans		½ base fee
b.) for modification of approved plans		½ base fee

(2) Inspection Fees.

(a) The fees associated with plan review shall be paid in full prior to the Office of the Fire Marshal taking any action to review or approve plans submitted or resubmitted to said office. All such fees paid to the City of Danbury shall be nonrefundable.

(b) If an applicant fails a first inspection, a reinspection 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.

(c) 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.