

RESOLUTION

Item # 34541-2 RE: Department of Permits, Licenses, and Inspections

To Her Honor, the Mayor, and the Common Council of the City of New Britain: The undersigned beg leave to recommend the adoption of the following:

Resolution Summary: INTENT AND PURPOSE:

To revise Sections 6-19, 7-44, 7-62, and 13-260 of the Code of Ordinances to provide uniform penalties for citations related to animal, health, blight, and housing violations.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that SECTIONS 6-19, 7-44, 7-62, and 13-260 of the Code of Ordinances, City of New Britain, be amended as follows: (inserted text appears in underline; deleted text appears in ~~striketrough~~; new sections begin with the word [new].

CHAPTER 6 ANIMALS

ARTICLE II DOGS

Sec. 6-19. - Removal of feces.

- (a) It shall be unlawful for any person owning, keeping, walking or in control of any dog to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements, street, sidewalk, gutter or other public area unless such person shall remove all feces so deposited by such animal before leaving the immediate premises.
- (b) The provisions of this section shall not apply to any person walking or in control of a dog who is blind and accompanied by a guide dog or by any person who is physically unable to remove said feces.
- (c) Any violation of this section shall be punishable by a fine of ~~fifty dollars (\$50.00)~~ ninety nine dollars (\$99.00) for each occurrence.
- (d) For the purposes of enforcing the provisions of this section tickets may be issued by any persons authorized to issue tickets for parking violations pursuant to section 15-75 of this Code.

(Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-88, § 2)

Chapter 7 BUILDINGS AND BUILDING REGULATIONS

ARTICLE III ANTIBLIGHT PROGRAM

Sec. 7-44. - Violations and penalties.

- (a) Each violation of any provision of this article shall be considered a separate offense hereunder and each day any violation of any provision of this article shall continue shall constitute a separate offense hereunder.
- (b) When the owner of the property has been found in violation of this article, a blight enforcement official shall issue a ticket for such violation, which ticket shall provide for a fine of ~~ninety dollars (\$90.00)~~ ninety nine dollars (\$99.00) per violation payable to the City of New Britain.

- (c) No fee or fine shall be due while a reconsideration, hearing or appeal is pending in the matter; however, such action shall not prevent further accumulation of the penalty if the order is upheld.
- (d) The imposition of any fee or fine under this article shall not be construed to prevent the enforcement of other laws upon the premises nor to prevent the initiation of other enforcement measures or penalties.
- (e) Failure to pay any fee or fine arising from the enforcement of this article shall constitute a debt in favor of the city and shall constitute a lien upon the real estate against which the fee or fine was imposed from the original date of such fine or fee. Each such lien may be continued, recorded and released in the manner provided by the Connecticut General Statutes for continuing, recording and releasing property tax liens. The Connecticut General Statutory lien will accumulate from the date of recording to the date of payment and will be added to the amount owed at the time of payment. Each such lien shall take precedence over all other liens and encumbrances filed after the effective date of this article to the fullest extent permitted by law, except taxes, and may be enforced in the same manner as property tax liens.
- (f) Whenever, under article III of chapter 7 or chapter 13 of this Code or any rule or regulation promulgated by any officer of the city under authority vested in such officer by these ordinances, any act is prohibited or is declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding one hundred dollars (\$100.00). Each day any such violation shall continue, shall constitute a separate offense.

(Res. No. 30710-2, 9-9-09; Res. No. 31094-2, 9-22-10; Res. No. 31094-5, 1-11-12; Res. No. 33526-2 , 8-15-16)

Article V ANTIGRAFITI PROCEDURES

Sec. 7-62. - Registered anti-graffiti organizations.

- (a) If any registered anti-graffiti organization has made an offer to remove graffiti, free of charge, from any property, the owner of which has been notified of the presence of graffiti pursuant to section 7-61, and said property owner refuses to allow the organization to remove the graffiti in question, then the organization may report this refusal to director of licenses, permits and inspections.
- (b) Upon notification of such a refusal, director of licenses, permits and inspections or his/her designee shall verify that the property owner does so refuse. The director of licenses, permits and inspections shall fine said property owner ~~fifty dollars (\$50.00)~~ ninety nine dollars (\$99.00) each week that said property owner maintains his/her refusal unless the property owner otherwise causes the graffiti to be removed. In the event the owner fails, neglects or refuses to pay the City of New Britain the amount of the fine within thirty (30) days of receipt of notice of the fine, the city may place a lien on the property for such debt and/or may initiate a civil action against the owner in a court of competent jurisdiction to recover the debt. Any such lien may be continued, recorded and released in the manner provided by the Connecticut General Statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrances filed after the effective date of this article to the fullest extent of the law, except taxes, and may be enforced in the same manner as property tax liens.

- (c) Any property owner may appeal such a fine to the building commission, which shall have the power to exempt the property owner from the fine, reduce the amount of the fine or delay the fine.

Chapter 13 HOUSING

Article IV PENALTIES

Sec. 13-260. - Violation of chapter.

Any person who shall violate any provision of this chapter may be punished by a fine of not more than ~~ninety dollars (\$90.00)~~ ninety nine dollars (\$99.00). ~~and/or, upon conviction, by imprisonment for not more than thirty (30) days and each day's failure to comply with any such provision shall constitute a separate violation.~~

(Ord. of 1-89; Ord. No. 28269-2, 11-18-04; Res. No. 31766-2, 4-11-12)

Alderman Robert Smedley
Alderwoman Katie Breslin

APPROVED BY MAYOR ERIN E. STEWART February 19, 2019. **ADOPTED**
2/25/2019.