

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Special Meeting Agenda Public Works, Parks and Environment Committee

TOWN & CITY CLERK
2019 APR 10 PM 12:35
John V. Bazzano

Wildaliz Bermúdez, Minority Leader/Chair
John Q. Gale, Assistant Majority Leader
James Sanchez, Councilman
rJo Winch, Councilwoman
Thomas J. Clarke II, Councilman

Tuesday, April 30, 2019
5:30 P.M.
Council Chambers

Items:

- 1. ORDINANCE AMENDING CHAPTER 31, ARTICLE V OF THE MUNICIPAL CODE. (MAYOR BRONIN)**
- 2. RESOLUTION OPPOSING ANY INCREASE IN TRUCK SIZE OR WEIGHT ON BOTH FEDERAL AND STATE LEVELS. (MAJORITY LEADER SANCHEZ) (ASSISTANT MAJORITY LEADER GALE) (COUNCILMAN CLARKE II) (COUNCILMAN DEUTSCH)**

- 3. RESOLUTION AUTHORIZING THE CITY TO ACCEPT DONATIONS FROM BUSHNELL PARK FOUNDATION, INC. IN THE FORM OF IMPROVEMENTS TO BUSHNELL PARK. (MAYOR BRONIN)**

- 4. ACCOMPANYING RESOLUTION WHICH WOULD ALLOW THE CITY TO PERMIT THE CONSTRUCTION OF A 24-FOOT BY 36-FOOT PRE-FABRICATED BARN STRUCTURE BY EBONY HORSEWOMEN, INC., WITHIN THE AREA BOUNDED FOR ITS ACTIVITIES IN ACCORDANCE WITH THE ORGANIZATION'S LEASE AGREEMENT WITH THE CITY FOR THE USE OF A PORTION OF KENEY PARK. (MAYOR BRONIN)**



ITEM # 26 ON AGENDA

Luke A. Bronin
Mayor

March 11, 2019

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Amendment to Chapter 31, Article V of the Municipal Code

Dear Council President Thames,

Attached for your consideration is an ordinance amending Chapter 31, Article V of the Municipal Code, which regulates the removal of snow and ice from sidewalks.

The proposed ordinance extends the authority to address snow and ice removal violations to the Department of Public Works (DPW) in accordance with state law, and delineates the enforcement of powers of DPW. The amendment also reorganizes the structure of the sections in order to have all the obligations of a property owner listed in one section after another, for ease of understanding.

By clarifying all the snow and ice clearing laws, while expanding upon the enforcement authority of the City, we believe this will help alleviate confusion as to who is responsible for snow, ice, freezing precipitation cleanup and help ensure more accessibility to City sidewalks.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "LBronin".

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by: Mayor Luke A. Bronin

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 31 OF THE MUNICIPAL CODE
OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD

March 11, 2019

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 31, Article V, Snow and Ice Removal, of the Municipal Code be amended as follows:

Chapter 31 – STREETS AND SIDEWALKS

ARTICLE V. – SNOW, ICE AND SLEET REMOVAL

Sec. 31-141. - Enforcement.

This chapter shall be administered and enforced by the director of public works or chief of police or both, who may designate duly authorized representatives to enforce this chapter in their respective names.

Sec. 31-142. - Duty of persons in control to remove snow, ice, sleet or other forms of freezing precipitation from sidewalks.

- (a) The property owner, occupant, tenant, or agent in control of any premises in the City which is in front of, along or adjoining any graded, paved or planked sidewalk shall cause all snow, ice, sleet, and/or freezing precipitation to be removed from the entire width of the sidewalk, including any adjacent curb-cut, following the conclusion of the weather event.
- (b) If such fall of snow, ice, sleet or freezing precipitation is in the daytime, it shall be removed within six (6) hours of the ceasing of such fall or freezing; or if such fall or freezing is in the nighttime, it shall be removed before 9:00 am of the succeeding day.

Sec. 31-143. - Abatement

Whenever any sidewalk mentioned in section 31-142, or any part thereof, is covered with snow, sleet or ice, that cannot be entirely removed within the parameters prescribed in section 31-142(a), the property owner, occupant, tenant, or agent in control of the premises, following the conclusion of the weather event, shall cover the affected portion(s) of such sidewalk with sand or other suitable substance so that such sidewalk shall be safe for public travel.

Sec. 31-144. - Fire hydrants to be cleared.

All snow and ice accumulating in the street higher than a point four (4) inches below the bottom of the lowest outlet on any fire hydrant, and within a radius of three (3) feet from the center of such hydrant, shall be removed by the tenant, occupant, owner or agent of the premises fronting on that portion of the street, within six (6) hours after such snow and ice has ceased to fall or accumulate, or within three (3) hours after sunrise when the snow has fallen in the nighttime.

Sec. 31-145. - Removal of snow from roofs.

Every property owner, occupant, tenant or agent having control of a building standing upon or so near the line of a street that snow sliding from the roof may endanger public travel, shall within a reasonable time after the termination or abatement of a snowstorm, cause the snow to be removed from the roof thereof, in such manner as will not endanger travelers.

Sec. 31-146. - Throwing snow and ice into the streets.

No person shall throw or put, or cause to be thrown or put, any snow or ice from any private property or from any area in the rear or outside of the legally laid-out sidewalk into any street in the City that creates a safety hazard.

Sec. 31-147. - Violations and penalties; hearing.

- (a) If the Director of Public Works or his/her designee, upon any inspection of any sidewalks observes a violation of this Chapter, the Director may:
- (1) Issue a notice of violation ordering the property owner, occupant, tenant or agent in control of land abutting such sidewalk to correct the violation within a specified reasonable period of time. The notice requirements of this section shall be satisfied upon the notice being left at said premises.
 - (2) If the violation is not remedied by said specified period of time:
 - i. The property owner shall be issued a citation, and
 - ii. The property owner shall be subject to additional charges, if the City has to shovel or treat the sidewalk that is the subject of the citation.
- (b) A person or entity who is issued a citation shall be subject to a fine of ninety-nine (\$99.00). Each day such violation shall continue shall constitute a separate offense.
- (c) Any person or entity issued a citation for violating the provisions of this chapter may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5.
- (d) If the Chief of Police or his/her designee, upon inspection of any sidewalk observes a violation of this Chapter, the Chief of police may:

- (1) Issue an infraction. Every day that the violation continues is a separate violation and shall be considered a separate and distinct infraction. A fine of ninety-nine (\$99.00) will be imposed for each infraction.

Sec. 31-148. - Liability of officers and directors of corporations.

Whenever a corporation violates the provisions of section 31-142 through 31-146, the officers and directors of such corporation shall be personally liable to pay any fine incurred by such corporation.

Sec. 31-149. - Duty of city officers to clear sidewalks owned by city; liability

It shall be the duty of all such city officers to cause to be cleared, in accordance with this article, all sidewalks fronting on land under their official charge. The Director of Public Works and other city officers shall be personally liable to the same penalties for any neglect in relation to the sidewalks under their official charge as are private persons for a like offense.

Sec. 31-150. - Snow and ice on public sidewalks.

- (a) State law adopted. The provisions of G.S. § 7-163a are hereby adopted, and are set forth in subsections (b) and (c).
- (b) Liability of city. Notwithstanding the provisions of G.S. § 13a-149 or any other general statute or special act, the City shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the City is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street provided the City shall be liable for its affirmative acts with respect to such sidewalk.
- (c) Liability, duty of abutting landowner:
- (1) The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his property as the municipality had prior to the effective date of this section adopted pursuant to the provisions of G.S. § 7-163a and shall be liable to persons injured in person or property where a breach of such duty is the proximate cause of such injury;
 - (2) No action to recover damages for injury to the person or to property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two (2) years from the date when the injury is first sustained.

Sec. 31-151. - Additional Code sections.

Property owner, tenants, occupants, owners or agents of any premises should refer to Chapter 15, Article I of this Code for additional duties regarding garbage and refuse.

Secs. 31-152—31-175. - Reserved.

INTRODUCED:
Majority Leader James Sánchez
Assistant Majority Leader John Gale
Councilman TJ Clarke II
Councilman Larry Deutsch

COURT OF COMMON COUNCIL
City of Hartford, March 25, 2019

**RESOLUTION OPPOSING TRUCK SIZE OR
WEIGHT INCREASES**

WHEREAS, The City of Hartford is concerned with the welfare of motorists and the cost, quality and reliability of its roads and our nation's infrastructure; and

WHEREAS, The trucking industry is an important part of the nation's economy and safely sized and weighted trucks are vital to truck drivers to conduct their essential work in a safe and responsible manner; and

WHEREAS, The state of Connecticut follows the federal pattern on 80 thousand pounds since the 80's; and

WHEREAS, Allowing heavier or longer trucks would threaten the safety of the traveling public because heavier and longer trucks would be more difficult to control, increase wear and tear on our its streets and increase crash severity; and

WHEREAS, Connecticut has the fourth highest percentage of bridges over 50 years old in the nation at 59 percent - these bridges would need to be reinforced or replaced, costing Connecticut taxpayers millions of dollars more; and

WHEREAS, There are 2,983 bridges in fair/poor condition in Connecticut, according to the latest Federal Highway Administration data - over 70 percent of bridges statewide; and

WHEREAS, 10 of the 15 most heavily traveled structurally deficient bridges (carrying at least 500 vehicles per day) in Hartford County are in the City: and

WHEREAS, Allowing heavier trucks to operate would add new costs and proposed 100,000-pound trucks would only repay 50 percent of the damage they cause; and

WHEREAS, Government highway cost allocation studies show that increases in truck size and weight would exacerbate the existing underpayment of heavy trucks and increase their subsidization by municipalities and counties, amounting to an unfunded mandate; and

WHEREAS, Approving heavier trucks - including trucks up to 100,000-pounds - would mean more dangerous and damaging trucks running on local roads through Connecticut towns and communities where people live and work; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hartford opposes any increase in truck size or weight at both federal and state levels.



Luke A. Bronin
Mayor

March 25, 2019

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Bushnell Park Foundation Donation

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City of Hartford to accept donations from Bushnell Park Foundation, Inc. in the form of improvements to Bushnell Park. The improvements are to be paid in whole or in part from the proceeds of the Foundation's fundraising efforts. Some of the improvements may be subject to the prior review and approval of City agencies.

The improvements include (a) regular maintenance work on the Horace Wells Statute, and (b) bench restoration.

As you know, the City and the Bushnell Park Foundation partner on a regular basis and the City has significantly benefitted from their support and assistance over many years.

Thank you for your consideration.

Respectfully submitted,

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, March 25, 2019

WHEREAS, the City of Hartford (the “City”) owns and maintains Bushnell Park (the “Park”), an historic park, the acquisition of which was approved by the City in December, 1853; and

WHEREAS, Bushnell Park Foundation, Inc. (the “Foundation”) is a 501(c)3 not-for-profit organization whose purpose is to support the City’s efforts to protect, preserve, promote and maintain the Park; and

WHEREAS, the Foundation proposes the following as improvements to the Park (the “Improvements”), targeted for completion in 2019: regular maintenance work on the Horace Wells Statute; and bench restoration; and

WHEREAS, the City’s Department of Public Works has reviewed and endorsed the improvements; and

WHEREAS, the Foundation is committed to continuing to conduct fund-raising activities to achieve its goal to protect, preserve, promote and maintain the Park; now therefore, be it

RESOLVED, that the City is hereby authorized to accept from the Foundation gifts/donations of the Improvements to the Park to be paid for from the proceeds of the Foundation’s fundraising efforts provided, where applicable, the Improvements receive required municipal approvals; and be it further

RESOLVED, that the Mayor is hereby authorized to execute and deliver any and all manner of documents and take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to further and/or effectuate the City’s receipt of the aforementioned gifts/donations; and be it further

RESOLVED, that, if applicable, no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution, should the Mayor fail to execute the aforementioned documents or take any of the aforesaid actions, and be it further

RESOLVED, that, if applicable, all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the Mayor executing such documents and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



ITEM # 3 ON AGENDA

Luke A. Bronin
Mayor

April 8, 2019

Honorable Glendowyn L. H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

**RE: Construction of a Pre-Fabricated Barn in Keney Park for Event and Museum Space
by the Ebony Horsewomen, Inc.**

Dear Council President Thames,

Attached for your consideration is a resolution which would allow the City to permit the construction of a 24-foot by 36-foot pre-fabricated barn structure by Ebony Horsewomen, Inc., within the area bounded for its activities in accordance with the organization's lease agreement with the City for the use of a portion of Keney Park. Under C.G.S. §8-24, this matter must also be submitted for consideration to the Planning and Zoning Commission.

The construction of the proposed structure is being funded through a \$70,000 Good to Great grant award to Ebony Horsewomen, Inc. by the State of Connecticut Department of Economic and Community Development (DECD). The barn structure will serve multiple functions, including space for events, meetings, conferences, and expanded educational and training opportunities and offerings from Ebony Horsewomen, Inc. In addition, a small Black Cowboy Museum will be housed in the space, which will provide a unique education and tourism opportunity. The implementation of this grant-funded construction will allow the organization to increase the social impact of its activities. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Bronin", written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, April 8, 2019

WHEREAS, the City of Hartford has a lease agreement with the Ebony Horsewomen, a not-for-profit youth development organization, to operate an Equine Therapeutic and Equestrian Center in a designated section of Keney Park; and

WHEREAS, Ebony Horsewomen, Inc. was the recipient of a \$70,000 Good to Great grant from the State of Connecticut Department of Economic and Community Development; and

WHEREAS, the grant will provide funding for the “Horse of a Different Color” Social Infrastructure Project, which will include the construction of a pre-fabricated barn in Keney Park for use as event and museum space; and

WHEREAS, such space will increase tourism, allow for expanded educational and training opportunities, and enhance the social impact of the organization; and

WHEREAS, the construction of the proposed building is in keeping with the use and character of Keney Park, now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to allow the construction of the proposed structure, and the grant of utility rights or easements as necessary, pending the issuance of all necessary permits and approvals, and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to effectuate the installation of said structure; and be it further

RESOLVED, that no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to take any of the other aforesaid actions; and be it further

RESOLVED, that all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the parties taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.