



Town of Burlington

ORDINANCE COMMITTEE MEETING THURSDAY, AUGUST 18, 2016

The meeting convened at 7:04 p.m., Thursday, August 18, 2016. Present were: Ed Jurkiewicz, chairman, Mike Vollono, vice chairman, John Derewonko, Dick Alden, and Dave Wagner, members.

Citizen Comment:

Barbara Dahle commented on the Town Charter's requirements for the adoption of town ordinances, specifically, the need for a town meeting before enacting new ordinances. Ms. Dahle also asked for a definition of public place as used in the proposed ordinance on tonight's agenda.

Acceptance of July 21, 2016 Meeting Minutes and Second Revised May 19, 2016 Minutes:

Mike Vollono moved to accept the minutes, Dick Alden seconded, and the minutes were unanimously accepted. Pat Miller arrived after the minutes were accepted.

Discussion of Proposed Public Place Ordinance:

Mike Vollono reviewed the input he had received from the First Selectman, Police Department, and Parks and Recreation Department regarding the proposed Public Place Ordinance. In response to Ms. Dahle's question, Vollono reported that public place is defined in the proposed ordinance as property that is owned, managed or controlled by the town.

Mike made various suggestions based on the feedback he had received. He suggested changing the proposed ordinance's prohibition on constructing structures on public places so that it would allow permits to assemble temporary structures, such as tents, with a permit from either the First Selectman or the chairperson of the Parks and Recreation Department. The committee discussed exceptions to a general prohibition on operating a motor vehicle in public places, and concluded there should be exceptions for motorized wheelchairs and emergency vehicles. The Police Department indicated to Mike that swimming could not be prohibited in the Farmington River. Mike recommended permitting skating in certain areas, and allowing sliding at one's own risk. Furthermore, Mike recommended an exception to the prohibition on carrying firearms to accommodate the turkey shoot. The committee generally discussed whether the town could prohibit possessing weapons in public places. Mike also reported with respect to a prohibition on fires, that he was made aware of various town activities with bonfires. He recommended, however, that there should be no fires allowed at rails-to-trails. The committee discussed whether fires could be allowed for cooking in public places. The Police Department reported to Mike that it wanted the ability to prohibit not only possession of alcohol in public places, but also intoxication. There was a discussion of whether public places should be open for specific hours, which the Police Department favored. The committee, however, agreed that public places should not be open for specific hours.

Mike also reported on the Police Department's opinion regarding the enforcement of ordinances. The Police Department indicated that it could issue an infraction, which would then be enforced by the state of Connecticut, which would collect the fine. If the individual did not pay the infraction, a state



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prosecutor would be responsible for prosecuting it. The alternative to this procedure would be for the town to enforce ordinance violations itself, and the town would keep the fine. Mike recommended a \$100 fine for most ordinances.

Mike stated that he will incorporate the items discussed tonight into a subsequent draft of the proposed ordinance for the next meeting.

Report from Ginger Doherty on Ordinance Requiring Homeowners and Business Owners to Shovel Snow from Fire Hydrants and Sidewalks

Doherty was not in attendance; the committee tabled this agenda item.

Response from Board of Selectman Regarding Proposed Peddlers and Hawkers Ordinance

The committee tabled this agenda item.

Discussion of Hearing Procedure Ordinance

The committee discussed the procedure previously, which Mike previously had mentioned in his report on the proposed Public Place Ordinance. Mike said he will do more research on the procedure, but the committee agreed that it might be preferable to have the state enforce ordinance violations as described in the previous discussion.

John Derewonko Update from General Code

John Derewonko did not have anything specific to report, but will continue to report on General Code's progress in the future.

Discussion of Proposed Drone Ordinance

Ed Jurkiewicz proposed a prohibition on using drones to interfere with firefighting or rescue operations. Pat Miller discussed a recent news story regarding police use of drones armed with infrared cameras. The committee discussed whether the town should attempt to regulate the police use of drones, or if drone regulation should be left to the state. Pat advocated for some municipal regulation to protect the privacy of town residents. The committee also discussed specifically allowing the town to use drones in an emergency.

Items for September 15, 2016 Meeting

John Derewonko will give an update on General Code, Ed Jurkiewicz will continue to revise the proposed Drone Ordinance, and the enforcement of ordinances as well as the items tabled at tonight's meeting will be on the agenda for the September, 2016 meeting.

There being no further business, Vollono moved to adjourn, Miller seconded, and the committee voted unanimously to adjourn the meeting at approximately 8:12 pm.

Respectfully Submitted,

David Goshdigian
Secretary, Ordinance Committee

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