



Town of Burlington

ORDINANCE COMMITTEE MEETING THURSDAY, MAY 18, 2017

The meeting convened at 7:05 p.m., Thursday, May 18, 2017. Present were: Ed Jurkiewicz, chairman, David Goshdigian, secretary, Dick Alden, John Derewonko and Pat Miller, members. Also in attendance was First Selectman Ted Shafer.

Citizen Comment:

No citizen comment.

Acceptance of the April 20, 2017 Meeting Minutes:

Pat Miller moved to accept the minutes, Dick Alden seconded the motion, and the minutes were unanimously accepted.

Discussion of May 4 and May 15 Informational Sessions:

The committee generally discussed comments from the public at the May 4 informational session. The following revisions were accepted by the committee in light of comments made at the May 15 informational session. In the Agriculture Commission Ordinance, the committee agreed to recommend to the Board of Selectmen substituting "issues" for "conflicts" in section 1 (e), and to remove the phrase "act as a sounding board" from section 2 (g). With respect to the Ordinance Governing Dogs, the committee agreed to add the phrase "except in areas designated by the Town" to the end of section 2 (a) so as to allow the Town to establish a dog park, or the like, if desired.

The committee then generally discussed whether to require a licensed bartender for permitted events under the Alcohol Ordinance. Certain committee members stated that it would be in the interest of public safety to include such a requirement. The committee also considered the added cost for an event as a result of this requirement, and whether an insurance carrier would require a licensed bartender. The committee agreed to recommend to the Board of Selectmen adding to section 2 (b) (2) the phrase, "and certify that the alcoholic beverages will only be served by a licensed bartender."

Ed Jurkiewicz summarized certain comments with respect to the Drone Ordinance regarding the distinction between stealing computer data and collecting computer data. Committee members discussed that stealing computer data requires a certain wrongful intent, whereas collecting data may not. As a result, the committee agreed to, among other things, recommend amending section six of this ordinance by substituting "access or collect" for the term "hack," and specify that it is "without authorization." The committee also agreed to recommend including a section permitting the First Selectman to establish and rescind drone free zones. Furthermore, the committee debated whether to allow for special use permits as part of this ordinance, but agreed not to recommend such a change.

With respect to the Public Place Ordinance, after a discussion of the comments made at the May public informational sessions, the committee agreed to recommend modifying the prohibition on bringing horses on public places. Specifically, the committee agreed to recommend allowing horses



Town of Burlington

on public places except for the area known as rails-to-trails. In the Sidewalk and Hydrant Maintenance Ordinance, the committee discussed a comment from the May 15 public hearing that the term "abutting" should be removed or changed. The committee reviewed the definition of the word "abut" in Webster's Dictionary and agreed to leave that term in the ordinance. After a general discussion, the committee decided not to recommend including dry hydrants in this ordinance.

The committee then reviewed comments regarding the distribution of advertising matter and newspapers on private property and agreed to recommend using the term "matter" consistently throughout the ordinance, and to remove references to "material." The committee also discussed whether there should be certain exceptions to this ordinance, for example, for charitable organizations, but agreed not to recommend having any exceptions.

Discussion of Outstanding Issues from Editorial and Legal Analysis

David Goshdigian stated that he has responses from certain persons and boards that were asked questions during the committee's review of the Editorial and Legal Analysis. He said that he will review the Editorial and Legal Analysis so that the committee can review the responses received, as well as any other outstanding issues.

New Business

There was no new business.

Items for June 15, 2017 Meeting

The committee will have a general discussion of the upcoming June 20 vote on new or substantially revised ordinances. Also, David Goshdigian will report on outstanding matters from the Editorial and Legal Analysis.

There being no further business, John Derewonko moved to adjourn, Pat Miller seconded the motion, and the committee voted unanimously to adjourn the meeting at approximately 9:31 p.m.

Respectfully Submitted,

David Goshdigian
Secretary, Ordinance Committee