

TOWN COUNCIL MAJORITY OFFICE

ORDINANCE COMMITTEE

April 5, 2022

TO: Co Councillors Sebrina Wilson and John Morrison

FROM: Rich Kehoe, Chair

RE: **Tuesday April 5, 2022 6:30 p.m. Town Council Majority Office**

AGENDA

1. CALL TO ORDER
2. APPROVAL OF MINUTES
  - A. March 22, 2022
3. OPPORTUNITY FOR RESIDENTS TO SPEAK
4. OLD BUSINESS
5. NEW BUSINESS
  - A. Food Truck Ordinance
6. ADJOURNMENT

cc: Mayor Walsh  
Town Council

TOWN COUNCIL MAJORITY OFFICE

ORDINANCE COMMITTEE

March 22, 2022

PRESENT Rich Kehoe, Chair; Councillors Sebrina Wilson and John Morrison

ALSO Rich Gentile, Corporation Counsel  
PRESENT Awet Tsegai, Councillor  
Michael Walsh, Mayor

CALL TO ORDER

Chair Kehoe called the meeting to order at 6:01 p.m.

APPROVAL OF MINUTES

March 14, 2022

MOTION By Sebrina Wilson  
seconded by John Morrison  
to **approve** the March 14, 2022 meeting minutes.  
Motion carried 3/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

No one spoke.

NEW BUSINESS

Tax Credit Program for Senior Citizens and Disabled Persons

The chair provided materials on the current tax credit ordinances for veterans, people with disabilities and seniors along with the state statutes that authorize municipalities to provide such tax credits and property tax exemptions.

The committee and Mayor Walsh agreed that with some homeowners facing significant tax increases solely due to revaluation, the town should look at providing some relief to town taxpayers when authorized by state law to do so. The town currently has property tax exemptions (an amount that is deducted from a property tax assessed value, eg. A \$3,000 exemption and a 40 mill rate would yield a tax credit of \$120) for veterans and people with certain disabilities. The town also provides seniors and some individuals with disabilities

with a tax credit of up to \$700. Most exemptions and tax credits have an income limit based on a state formula that is annual adjusted for inflation plus a town authorized \$11,000.

After discussing the draft ordinance, the committee agreed to the following:

Veterans:

- increase the exemption from \$10,000 to \$20,000 which is the maximum provided in state law
- increase the income limit from \$11,000 over the state income limits (which are increased each year) to \$15,000 over state income limits
- clarify that the veteran's surviving spouse retains whatever exemption the veteran had
- provide a \$3,000 exemption for veterans with certain disabilities and subject to the same income limits as veterans (this is the only municipal option for veterans that was never adopted)

Seniors and Disabled:

- increase income limits to \$15,000 over the state income limits
- increase maximum property tax credit from \$700 to \$900

The budget for fiscal year 2022-2023 has funds set aside for property tax exemptions and credits. It is anticipated that these enhancements will be covered with those funds but it is unclear how many people in town will be eligible and how many will apply.

MOTION      By Sebrina Wilson  
                  Seconded by John Morrison  
                  To send the March 22, 2022 draft as amended to the Town Council for the  
                  Purposes of setting a public hearing date  
                  Motion carried 3/0

ADJOURNMENT

MOTION      By Sebrina Wilson  
                  seconded by John Morrison  
                  to **adjourn** at 6:29 p.m.  
                  Motion carried 3/0.

cc:      Mayor Walsh

EAST HARTFORD TOWN COUNCIL

TOWN COUNCIL CHAMBERS

FEBRUARY 1, 2022

PRESENT Chair Richard F. Kehoe, Vice Chair Donald Bell, Jr., Majority Leader  
IN CHAMBERS Sebrina Wilson, Minority Leader John Morrison, Councillors Angela  
Parkinson (via Teams), Awet Tsegai, Travis Simpson and Harry O.  
Amadasun, Jr.

ABSENT Councillor Thomas Rup

CALL TO ORDER

Chair Kehoe called the meeting to order at 7:30 p.m. The Chair stated that this meeting was also available to the public through the “Teams” platform.

The Chair announced the exit locations in accordance with Connecticut General Statutes §29-381, after which the Council joined him in the pledge of allegiance.

AMENDMENTS TO THE AGENDA

OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Mayor Walsh shared (1) that the town recently has hired 5 new employees to fill vacancies. (2) The Memorial Day Event is scheduled for May 30, 2022 at 10 a.m. (3) The Brian Aselton Snow Dash has been postponed to February 6, 2022 at 1:30 p.m. (4) The Town is offering free Rapid Covid-19 Tests through Express Diagnostics every Wednesday from 10 a.m.- 2 p.m. at St. Isaac Jogues Church (1 Community Street). (5) Free at-home Covid-19 tests can be ordered and shipped via the USPS, 1 order per residential address. (6) Positive Cases have declined down to 252 for the past week. (7) The East Hartford Public Library will host “Resilience 2,” a new exhibit by local artist Georges Annan-Kingsley through March 3. (8) Student artwork is currently on display at Raymond Library in the Children’s section (9) A “Living Room Conversation” on Race and Ethnicity will be held at the East Hartford Library on various dates in February. (10) East Hartford currently has the second highest diversity index in Connecticut according to Propel East Hartford and the East Hartford Black Caucus, and (11) Town Offices will be closed February 11 in observance of Lincoln’s Birthday.

APPROVAL OF MINUTES

January 18, 2022 Regular Meeting

MOTION By Sebrina Wilson  
seconded by Awet Tsegai  
to **approve** the minutes of the January 18, 2022 Regular Meeting.  
Motion carried 8/0.

January 25, 2022 Special Meeting

MOTION By Sebrina Wilson  
seconded by Harry Amadasun  
to **approve** the minutes of the January 25, 2022 Special Meeting.  
Motion carried 8/0.

MOTION By Harry Amadasun  
seconded by John Morrison  
to **amend** the previous motion to reflect that Councillor Harry Amadasun  
was present at January 25, 2022 Special Meeting.  
On Call of the Chair, the amended motion carried 8/0.

COMMUNICATIONS AND PETITIONS

Seagrave Pumper Disposal

Chair Kehoe shared that a notification of intent by the Mayor's Administration was received that detailed the disposing of a 2004 Seagrave Pumper fire engine as it is no longer suitable for Town use nor road-worthy. It will most likely be put up for sale or auction.

OLD BUSINESS

NEW BUSINESS

Adoption of Resolution to clarify Mayor Walsh's authority to execute Town agreements.

MOTION By Don Bell  
seconded by John Morrison  
  
to **adopt** the following resolution:

**WHEREAS**, pursuant to the Town Charter the Town Council periodically authorizes the Mayor to execute and enter into agreements, grant applications and other documents on behalf of the Town; and

**WHEREAS**, such authorizations frequently name the Mayor in office at the time of the authorization; and

**WHEREAS**, there are outstanding motions and resolutions authorizing Mayor Marcia A. Leclerc to execute and enter into specific agreements, grant applications and documents ("Documents") on behalf of the Town ("Outstanding Authorizations"); and

**WHEREAS**, some of these Documents were not ready for execution prior to the end of Mayor Leclerc's term of office; and

**WHEREAS**, the Council wants to clarify that the Outstanding Authorizations were intended to apply to the Office of the Mayor, and the individual holding that office, at the time of the execution of the Documents.

**NOW THEREFORE, BE IT RESOLVED:**

That the Town Council affirms that the Outstanding Authorizations authorize Mayor Michael P. Walsh to execute the Documents.

**On call of the vote, motion carried 8/0.**

Agreement Between Town of East Hartford and the East Hartford Police Officers' Association

Approval of the Collective Bargaining Agreement

MOTION By Don Bell  
seconded by Awet Tsegai

to approve the collective bargaining agreement as ratified by the bargaining unit members on January 27, 2022 between the Town of East Hartford and the East Hartford Police Officers' Association which agreement is effective July 1, 2021 through June 30, 2025 and is outlined in and attached to a memo from Mayor Michael Walsh to Town Council Chair Richard Kehoe dated January 28, 2022.

Motion carried 8/0.

*Once fully executed, a copy of this contract will follow these minutes.*

Mayor Walsh provided background details of the Agreement and thanked the Police Officers for their support during the negotiation process. The Mayor then expressed gratitude to the East Hartford Police Department for their dedication and service.

Scott Sansom, Police Chief, thanked the union representation and town administration for their cooperation during the negotiation process.

Contingency Transfer

MOTION By Don Bell  
seconded by Harry Amadasun, Jr.

to **approve** a contingency transfer for the fiscal year ending June 30, 2022 to provide a source of funds to settle the Collective Bargaining Agreement between the town of East Hartford and the East Hartford Police Officers' Association as follows:

<b>FROM</b>	<b>Name</b>	<b>Amount</b>
<b>Account Number</b> G9600-60201	Contingency Reserve-Contract Negotiations	<u>\$226,108</u>

TO	Account Number	Name	Amount
	G5203-60110	Permanent Services – Police	\$186,548
	G5203-60141	Overtime - Police	<u>\$39,560</u>
	TOTAL		<u>\$226,108</u>

Motion Carried 8/0.

Recommendation from Real Estate Acquisition and Disposition Committee: Congress Street

Sale of Property- 1 Foot Strip

MOTION By Angie Parkinson  
seconded by Don Bell

to **waive** the appraisal requirement set forth in Town Ordinances 10-19(c) with respect to the sale of an approximately one foot strip of land along Congress Street shown as “N/F TOWN OF EAST HARTFORD See Volume 574, page 247 (parcel 2) 1’ + WIDE RESERVED STRIP ALONG CONGRESS STREET (320’Long) (314.24 Calculated)” on the attached map entitled “PLAN SHOWING ROADWAY DISCONTINUANCE OF CONGRESS STREET IN EAST HARTFORD CONNECTICUT APRIL 30, 2021, BSC GROUP”, which map will be filed in the East Hartford Town Clerk’s Office (the “Property”), the same being in the best interests of the Town given the fact that it is a diminutive parcel; and (ii) approve the sale of the Property by Quit Claim Deed, for the sum of \$20,000, to Governor Street Partners LLC.

Motion Carried 8/0.

Setting of Hearing Date- Discontinuance of Congress Street as a Town Highway

MOTION By Angie Parkinson  
seconded by Don Bell

to **set** March 15th, at 7:30 pm, in the Town Council Chambers, 740 Main Street, East Hartford, Connecticut, during the regular Town Council meeting, as the date, time, and place to discuss and vote on whether Congress Street, as shown on a map entitled “PLAN SHOWING ROADWAY DISCONTINUANCE OF CONGRESS STREET IN EAST HARTFORD CONNECTICUT APRIL 30, 2021, BSC GROUP”, which map will be filed in the East Hartford Town Clerk’s Office, should be discontinued as a Town Road pursuant to the provisions of Connecticut General Statutes Section 13a-49.

Motion Carried 8/0.

Sale of 550-560 Burnside Avenue

MOTION By Angie Parkinson

seconded by Don Bell

Move, that after holding a public hearing as required under Connecticut General Statutes Section 7-163 (e), the East Hartford Town Council **rescind** the motion of October 19, 2021 with respect to the sale of 550-560 Burnside Avenue by the East Hartford Redevelopment Agency to Habitat for Humanity of North Central Connecticut, Inc. (f/k/a Hartford Area Habitat for Humanity, Inc.) (“Habitat”) and hereby approves the sale of 550-560 Burnside Avenue by the East Hartford Redevelopment Agency to Habitat pursuant to the general terms and conditions of the attached purchase and sales agreement, as the same may be modified, as deemed reasonable and necessary by the Office of the Corporation Counsel, for the sum of \$100,000, said sales price being contingent on verification by the Town Administration that Habitat has plans in place to establish and fund an adequate reserve for improvements and repairs to common elements in Habitat’s proposed common interest ownership development.

Motion Carried 8/0.

*A copy of the public offering statement, declaration and sales contract will follow these minutes.*

#### Board and Commission Appointments

MOTION By Harry Amadasun, Jr.  
seconded by Don Bell  
to **approve** the following appointments:

**Board of Assessment and Appeals (3-year term):**

Adam Gagnon	35 Overbrook Dr	12/23
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**Commission on Culture and Fine Arts (5-year term):**

Thomas Lumpkin	1325 Burnside Ave	12/24
Tamara Churcho	43 Bantle Road	12/23

**Economic Development Commission (3-year term):**

Erwin Hurst	118 Oxford Drive	12/22
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Motion Carried 8/0.

#### Reallocation of ARPA Funding

MOTION By Harry Amadasun, Jr.  
seconded by Awet Tsegai

to **adopt** the following resolution:

**WHEREAS**; the U.S. Department of the Treasury has allocated \$24,561,068 in American Rescue Plan Act (ARPA) funds to the Town of East Hartford; and



**WHEREAS;** the funds are to be expended on projects and government services related to preventing, preparing for and responding to conditions created or exacerbated by the COVID-19 pandemic; and

**WHEREAS;** the Town wishes to revise the project allocations previously approved by the East Hartford Town Council,

**NOW THEREFORE LET IT BE RESOLVED;** that Town Council resolutions concerning the appropriation and release of American Rescue Plan Act (ARPA) funds passed on August 17, 2021; October 5, 2021; and October 19, 2021 are hereby rescinded, and;

**AND LET IT BE FURTHER RESOLVED;** that the Town Council approves and adopts the following appropriation of ARPA funds:

1. Renovation of North End Community Center	\$ 1,865,000
2. COVID Other Public Health Services	\$ 200,000
3. Meal Program Senior Center	\$ 800,000
4. Expansion of the Community Garden and Greenhouse	\$ 75,000
5. Digital Inclusion Project Manager	\$ 100,000
6. East Hartford Connects: Services	\$ 800,000
7. East Hartford Connects: Summer Youth Employment	\$ 800,000
8. Interval House	\$ 100,000
9. East Hartford Interfaith Ministries	\$ 100,000
10. Support for the Arts in East Hartford	\$ 200,000
11. Renovation & ADA Accessibility – Wickham Library	\$ 3,500,000
12. Creation of Police and Youth Services Violence Prevention Program	\$ 250,000
13. Police and Social Worker Response Pilot	\$ 250,000
14. Goodwin U Storm Water Management Repair and Replace	\$ 900,000
15. Technology Upgrades	\$ 500,000
16. Administrative Expenses	\$ 219,017
17. Expansion of Staff for Senior Center Programs & Services & Part-time Staff	\$ 200,000
18. Public Safety Garage	\$ 1,422,051
19. Repairs Historic Buildings	\$ 1,500,000
20. Town Hall Improvements	\$ 1,500,000
21. Town Hall HVAC Replacement	\$ 3,500,000
22. McAuliffe Railroad Crossing	\$ 500,000
23. COVID-19 Response Retroactive Pay: East Hartford Police Officers' Association	\$ 125,000
24. COVID-19 Response Retroactive Pay: Local 1174, Council 4, AFSCME, AFL-CIO	\$ 210,000

Specific expenditures under the following appropriations are subject to Town Council review and approval:

25. Other Nonprofits	\$ 500,000
26. Investment in Local Development	\$ 4,445,000
	\$24,561,068

**AND LET IT BE FURTHER RESOLVED;** that Michael P. Walsh, Mayor of the Town of East Hartford, is authorized to application to, and execute and approve on behalf of this corporation, any and all documents, contracts, and amendments as may be required by the U.S. Department of the Treasury as they pertain to this ARPA grant.

**On call of the vote, motion carried 8/0.**

Connecticut Department of Education ARPA Grant Application for Youth Services Program

MOTION By Harry Amadasun, Jr.  
seconded by Travis Simpson

to **adopt** the following resolution:

**WHEREAS;** the East Hartford Youth Services Department was allocated a state Department of Education American Rescue Plan Act (ARPA) grant of \$200,000 in the Connecticut State Budget for FY 2022 and FY 2023, and

**WHEREAS;** the Town wishes to use these funds for the development of an East Hartford Youth Center,

**NOW THEREFORE LET IT BE RESOLVED;** that Michael P. Walsh, Mayor of the Town of East Hartford, is authorized to make application to, and execute and approve on behalf of this corporation, any and all documents, contracts, and amendments as may be required by the state Department of Education as they pertain to this state ARPA grant.

**On call of the vote, motion carried 8/0.**

Amusement Permits

MOTION By Awet Tsegai  
seconded by Travis Simpson  
to **approve** the outdoor amusement permit application entitled "RiMaConn Relay" as submitted by Josh Miller, Vice President and Race Director, for the Hartford Marathon Foundation, to conduct a team relay event to complete a 95 mile trek from Lincoln, Rhode Island to Hartford, Connecticut using the East Coast Greenway on Saturday, August 27<sup>th</sup> 2022 from 5:00pm to 9:30pm; subject to compliance with adopted codes and regulations of the State of Connecticut, the Town of East Hartford, and any other stipulations required by the Town of East Hartford or its agencies.

Motion Carried 8/0.

MOTION By Awet Tsegai  
seconded by John Morrison  
to **approve** the outdoor amusement permit entitled “Eversource Hartford Marathon – 2022” submitted by Josh Miller, Vice President and Race Director for the Hartford Marathon Foundation to conduct a marathon, road races and outdoor musical entertainment with volunteers and several thousand spectators and runners on Saturday, October 8, 2022 from 7:30AM to 1:30PM, with music between the hours of 9AM and 1:30PM, subject to compliance with adopted codes and regulations of the State of Connecticut, the Town of East Hartford, and any other stipulations required by the Town of East Hartford or its agencies.

Motion Carried 8/0.

Referral to Ordinance Subcommittee- Revision regarding Food Truck Operation

MOTION By Sebrina Wilson  
seconded by John Morrison  
to **refer** revised ordinances 8-14, 8-24 and Chapter 12: Food and Food Establishments, concerning Food Truck operation in the Town to the Ordinance Committee.

Motion carried 8/0.

Referral to Real Estate Acquisition and Disposition Committee- 1437-1439 Main Street

MOTION By Angie Parkinson  
seconded by John Morrison  
to **refer** 1437-1439 Main Street to the Real Estate Acquisition and Disposition Subcommittee for possible disposition to the abutting property owner at 1429-1431 Main Street.

Motion carried 8/0.

Willow Brook Pond Easement Subordination: Council Acting as Committee of the Whole

MOTION By Angie Parkinson  
seconded by Travis Simpson

Move: That the Town Council, acting as a Committee of the Whole for the Real Estate Acquisition and Disposition Committee, **authorize** Mayor Michael P. Walsh to execute a “Certification of Agreement to Subordinate an Interest to an Environmental Land Use Restriction” and “Subordination,” in the general form attached hereto, with such non-material changes as the Office of Corporation Counsel deems necessary and appropriate, through which the Town will subordinate (i) a certain easement granted by Joseph J. Peltz and J. H. Tichenor to the Town dated April 3, 1951 and recorded April 18, 1951 in Volume 173, Page 509 of the East Hartford Land Records; and (ii) a certain easement granted by Stone and Goldberg

Associates to the Town dated November 20, 1979 and recorded November 30, 1979 in Volume 715, Page 280 of the East Hartford Land Records, to the lien and operation of a Declaration of Environmental Land Use Restrictions to be executed between the State of Connecticut, Department of Energy and Environmental Protection and Raytheon Technologies Corporation.

Motion carried 8/0.

## OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

### COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

MOTION By Sebrina Wilson  
seconded by Awet Tsegai

move that, to **accept** the recommendation of Corporation Counsel to fully and finally settle the pending workers' compensation claim of former Town employee, Brian Harvill, for a total sum of \$15,000.00.

*Motion carried 7/0 (Abstain- Parkinson)*

MOTION By Sebrina Wilson  
seconded by John Morrison

move that, to **accept** the recommendation of Corporation Counsel to fully and finally settle the pending workers' compensation claims of former East Hartford Board of Education employee, Merry Oliver, for a total sum of \$2,500.00.

Motion carried 7/0 (Abstain- Parkinson)

MOTION By Sebrina Wilson  
seconded by Awet Tsegai

move that, to **accept** the recommendation of Corporation Counsel to fully and finally settle the pending Federal Court action known as Gandhi Arias and Dillinger Arias v. Town of East Hartford, Et al., Docket No. 3:20-CV-00895(JCH), for a total sum of \$40,000.00.

Motion carried 7/0 (Abstain- Parkinson)

### OPPORTUNITY FOR RESIDENTS TO SPEAK

Councillor Amadasun wished all a happy Black History Month and wished his mother a happy birthday.

Councillor Bell acknowledged the recent passing of his father Donald Bell Sr. and thanked the council for their support.

ADJOURNMENT

MOTION      By John Morrison  
                  seconded by Don Bell  
                  to **adjourn** 9:07.  
                  Motion carried 8/0.

The Chair announced that the next scheduled meeting of the Town Council would be February 15, 2022.

Attest \_\_\_\_\_  
                  Jason Marshall  
                  TOWN COUNCIL CLERK

Sec. 12-1. GENERALLY.  
Purpose and Authority.

**CHAPTER 12. Food and  
Food Establishments**

Sec. 12-3. License Required.

**CHAPTER 12. ARTICLE 1. FOOD AND FOOD  
ESTABLISHMENTS**

***Sec. 12-1. GENERALLY. Purpose and Authority.***

This chapter shall be liberally construed and applied to promote its underlying purpose of protecting the public health by regulating the storage, preparation, processing, sale and service of food consistent with Sec. 19-13-B40, Sec. 19-13-B42, Sec. 19-13-B48, Sec. 19-13-B49 and other sections of the Public Health Code of the State of Connecticut.

***Sec. 12-2. Definitions.***

(a) Director of Health means the local Director of Health or his authorized agents.

(b) Authorized Agent means an individual certified to inspect food service establishments by the State of Connecticut, and designated to do so by the Director of Health.

(c) Approved means acceptable to the Director of Health, based on a determination that the source of food, the plans for the facility, and/or the storage, preparation, processing, sale and service of a food establishment is in conformance with the requirements of this chapter, the Public Health Code of the State of Connecticut, and/or good public health practices.

(d) Food means any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for human consumption, except produce sold at temporary vegetable stands, carts, or other vehicles on a seasonal basis.

(e) Food Establishment means any cart, truck, stand, vehicle or place where food intended for human consumption is manufactured, prepared, stored, offered for sale, or served. The term includes, but is not limited to the following: (1) food service operation, (2) catering operation, and (3) itinerant food vending operation. These terms expressly exclude private homes where food is prepared and served for consumption by members of the particular household wherein such food has been prepared and served.

(f) Food Service Operation means any operation where food is sold, stored, prepared, and/or served to the public.

(g) Catering Operation means any operation involved in the sale and/or distribution of food prepared in bulk in one location for service in individual portions at another, or, which involves preparation and/or service of food on public or private premises not under the ownership or control of the operator of such service.

(h) Itinerant Food Vending Operation means any operation involving the preparation and/or service of food from any cart, truck, stand, vehicle and/or structure, establishment or conveyance without a permanently fixed location and which lacks permanent connections to an approved private or public water supply and an approved private or public sewage disposal system.

**ARTICLE 2 LICENSE REQUIREMENTS.**

***Sec. 12-3. License Required.***

(a) No person shall operate a food establishment within the Town of East

Sec. 12-4. License Display.

**CHAPTER 12. Food and Food Establishments**

Sec. 12-6. Waiver of Fees for Charitable Causes.

Hartford without first having obtained a license from the Director of Health.

(b) No license shall be issued without the prior written approval of the Director of Health. The duration of such license shall be for one (1) year except as provided in Sec. 12-7.

(c) The fee for a food establishment license shall be as provided by the Town Council in its Schedule of Fees.

(d) Applications for a food establishment license shall be made on forms to be provided by the Director of Health.

(e) The food establishment license is not transferable.

(f) If two or more types of licensed activities are carried on at one location and as part of one operation, only one fee shall be charged. Such fee shall be the highest amount charged if any one of the activities were to be licensed separately.

(g) No license is required for establishments which sell only food products which do not require preparation, refrigeration, cooking and/or heating of any kind on the premises.

***Sec. 12-4. License Display.***

The food establishment license shall be displayed in a prominent location within the establishment so that it may be easily seen by the public.

***Sec. 12-5. License Suspension and Revocation.***

(a) The Director of Health shall have the power to suspend and/or revoke the license of a food establishment upon any violation of the Public Health Code of the State of Connecticut or any health ordinances and/or regulations of the Town.

(b) No order of revocation shall be issued except after a hearing held after reasonable notice has been given to the licensee except that, if the Director of Health finds unsanitary or other conditions, which in his judgment, constitute an immediate and substantial hazard to the public health, he may immediately issue written notice of suspension to the license holder or person in charge citing the reasons for such action. Such notice shall also advise the licensee that it shall appear at a hearing to be held by the Director of Health within five (5) working days from the date of the notice to give reasons why such license should not be permanently revoked.

(c) When a food establishment incurs damage to its facilities, including but not limited to, water, wind, fire damage, or loss of utility services necessary to maintain food in a fresh and wholesome condition, upon notice, the license will be suspended pending a site inspection of the premises by the Director of Health or his agent. Upon satisfactory completion of the inspection, the license shall be reinstated.

(d) The holder of any food establishment license who is aggrieved by a suspension or revocation of such license by the Director of Health may appeal such suspension or revocation to the State of Connecticut in accordance with State law. During the filing on an appeal, the license shall not stay the revocation or suspension unless a stay is expressly granted in writing by the Director of Health for good cause.

***Sec. 12-6. Waiver of Fees for Charitable Causes.***

(a) The Director of Health may waive the payment of a fee by a food establishment whose total profits are devoted to charitable purposes. Eligibility for such waiver shall be determined by the Director of Health.

(b) The Town Council may, upon application, waive payment of a fee for a food

Sec. 12-7. Temporary Licenses.

**CHAPTER 12. Food and Food Establishments**

Sec. 12-10. Classifications of Food Establishment Operation Licenses.

establishment license by an applicant for a temporary license who intends to serve food for a period not in excess of three (3) days at a festival or other event sponsored by the Town or a non-profit organization with which such applicant intends to share profits derived from its sales at such festival or event.

***Sec. 12-7. Temporary Licenses.***

The Director of Health may upon application issue a temporary food establishment license to a qualified food establishment for a period not to exceed two weeks.

***Sec. 12-8. Promulgation of Regulations.***

The Director of Health may supplement this Chapter with such regulations as may, in his judgment, be required for the protection and preservation of the public health, provided the same shall not be inconsistent with any provision of State laws or with the provisions of this Chapter.

***Sec. 12-9. Plan Review.***

In addition to other provisions of the Statutes or Ordinances of the town, no person shall construct or remodel any food establishment or substantially change or alter any food preparation equipment in any food establishment without first obtaining the approval of the Director of Health. Two (2) copies of the proposed plan shall be submitted to the Director of Health in accordance with technical requirements he may establish. The Director of Health shall approve the plans if he determines that they conform to State and local laws and regulations.

**ARTICLE 3. CLASSIFICATIONS.**

***Sec. 12-10. Classifications of Food Establishment Operation Licenses.***

- (a) Food Service Operation License.
  - 1. Grocery License.
    - (a) Reference is made to 19-13-B40 of the Public Health Code of the State of Connecticut.
  - 2. Grocery with Food Preparation License.
    - (a) Reference is made to 19-13-B40 and 19-13-B42 of the Public Health Code of the State of Connecticut.
  - 3. Food Preparation for Service to the Public.
    - (a) Reference is made to 19-13-B42 of the Public Health Code of the



**Town of East Hartford**

**Code of Ordinances**

Sec. 12-10. Classifications of Food Establishment Operation Licenses.

**CHAPTER 12. Food and Food Establishments**

Sec. 12-10. Classifications of Food Establishment Operation Licenses.

State of Connecticut.

(b) Catering License.

Reference is made to 19-13-B49 of the Public Health Code of the State of Connecticut.

(c) Itinerant Vending License.

Reference is made to 19-13-B48 of the Public Health Code of the State of Connecticut.

Voted: August 16, 1994  
Published: August 26, 1994  
Effective: September 16, 1994

## **Sec. 8-14. Definitions.**

a) As used in this Article:

(1) Canvasser or Solicitor shall mean any individual whether a resident of the town or not, taking or attempting to take order from anyone on the premises of a house, apartment, trailer or other place of residence for sale of goods, wares, merchandise, including articles of food, or personal property of any nature whatsoever for future delivery, or for services to be performed in the future, whether or not such individual shall carry or expose for sale a sample of the subject of such sale, or whether he is collecting advance payments on such sales or not.

(2) Hawker or Peddler shall mean any person, whether principal or agent, who goes from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter or exposing therefore, any goods, wares, merchandise, including articles of food, either on foot or from any animal or vehicle.

(3) Itinerant Vendor shall mean any person, whether a principal or agent, who engages in a temporary or transient business in this state, either in one locality or in traveling from place to place, selling goods, wares, merchandise or conducting any closeout sale and who for the purpose of carrying out such business or sale, hires, leases or occupies any building or structure for the exhibition and sale of such goods, wares and merchandise, temporary or transient business meaning and including any exhibition and sale of goods, ware or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours at least nine (9) months in each year.

(4) Salesman shall mean any person who shall sell or expose for sale, or solicit orders for any articles of food or any goods, wares, merchandise, materials or services, or solicit for any contracts within the town to or from anyone on the premises of a house, apartment, trailer or other place of residence, and shall include canvassers, solicitors, hawkers, peddlers and itinerant vendors.

## **Sec. 8-24. Conduct of Business.**

a) Each person to whom credentials have been issued shall, while engaged in the Town in the activities for which he has credentials:

(1) Conduct himself at all times in a quiet, orderly and lawful manner.

(2) Enter within any home only upon being expressly invited to do so by an occupant thereof.

(3) Leave any premises immediately upon the request of any occupant of the same.

(4) Deliver as agreed or represented, and within a reasonable time, all food, goods, wares, merchandise and materials and perform in like manner all services for which he has been paid in whole or in part, except as provided in Subsection 5.

(5) Refund promptly any payment made to him if he shall find that it is not reasonably possible for him to comply with Subsection (a) (4), unless the refund

shall be refused by the other party.

(6) Give a written and signed receipt for all payments in excess of Two (\$2.00) Dollars received by him, stating the amount of the payment, a description of the food, goods, wares, merchandise, materials and/or services or contracts in connection with which said payment was made, the total of all charges made or to be made in connection with the same and when and in what amounts any additional payments are to be made.

(7) Give to the other party a copy, signed by the holder of the credentials, of any order, contract or other document which the party has signed. Compliance with this Subsection shall constitute compliance with Subsection (a) (6) to the extent that the requirements of Subsection (a) (6) are met by the document.

(8) Shall solicit, sell, hawk, canvass, or peddle only during the hours of 10:00 A.M. to 9:00 P.M.