

CHAPTER 5. AMUSEMENTS

ARTICLE 1. GENERAL PROVISIONS

Sec. 5-1. Amusement Permit Required.

(a) No person shall conduct an outdoor amusement event where alcoholic beverages are served without first obtaining a permit from the Chief of Police pursuant to section 5-3 of the town ordinances.

(b) No person shall conduct an outdoor amusement event or an event where roads or sidewalks in the town are closed to public use with out first obtaining a permit pursuant to section 5-3 and section 5-4 of the town ordinances.

(c) No person shall conduct an outdoor amusement event on town property or conduct an outdoor amusement event sponsored or co-sponsored by the Town of East Hartford without (i) obtaining a permit from the Chief of Police with approval of the Town Council pursuant to Section 5-4 of the town ordinances; (ii) executing a contract delineating the responsibilities of the town and such persons, in a form acceptable to the Corporation Counsel's office; and (iii) obtaining a certificate of insurance consistent with the requirements of section 5-5.

(d) As used in this section, "outdoor amusement event" means:

- (1) Parade
- (2) Road race
- (3) Fireworks display
- (4) Airshow
- (5) Outdoor carnival
- (6) Rodeo
- (7) Circus
- (8) Tent show
- (9) planned gathering of people that is open to the public, or members of an organization whether or not there is an admission fee, where there is entertainment, such as music or a theatrical performance, and the event is held, wholly or in part, outdoors provided it shall not include any family life event celebration where attendees must be invited, such as weddings, birthdays, bachelor parties or anniversaries.

Effective 03-19-13

Sec. 5-2. Permit Application.

(a) An application for any permit required by section 5-1 of the town ordinance shall be filed with the Chief of Police on forms supplied by him for that purpose, not less than thirty days prior to the date of the proposed amusement. The Town Council may, upon request of the applicant, waive the time requirement for the filing of an application.

Effective 10-04-05

(b) Such application shall contain the following information:

- (1) The name of the applicant. If the applicant is a partnership, the application shall list

Sec. 5-3. Administrative Review of Application.

CHAPTER 5. Amusements

Sec. 5-3. Administrative Review of Application.

the names of all partners. If the applicant is a corporation, club or association, the application shall list the names of the officers of such corporation, club or association;

- (2) The residence of the applicant. If the applicant is a partnership, corporation, club or association, the application shall specify the address of its place of business;
- (3) The date(s), times and location of the proposed amusement;
- (4) A detailed description of the proposed amusement;
- (5) The expected attendance at the proposed amusement;
- (6) A detailed description of the proposed amusement's anticipated impact on the surrounding community, including, but not limited to, crowd size, traffic, parking, noise, litter and general disruption to normal life and activities;
- (7) If the proposed amusement involves alcohol, any and all arrangements pertaining thereto, including a copy of the liquor permit as required by state law;
- (8) Any other information the applicant deems relevant.

' State law reference: As to State Licensing of Amusements, see. CGS Sec.19-129 et seq. A detailed plan for the following: accessibility of amusement site to emergency, police, fire and medical vehicles; provisions for notification of proper authorities in the case of an emergency; provision of on-site emergency medical services; crowd control; parking; traffic flow, litter control of the amusement site and surrounding community during and immediately after the proposed amusement; provision of sanitary facilities; and, if the amusement is to be held on Town property, the return of amusement site to pre-amusement condition;

Sec. 5-3. Administrative Review of Application.

(a) Upon receipt of the application, the Chief of Police shall forward a copy of said application to the directors of the following Town departments: Fire, Health, Public Works, Parks and Recreation, the Office of the Corporation Counsel and Finance.

(b) The Chief of Police and the Directors of Fire, Health, Public Works, Parks and Recreation Departments, the Office of the Corporation Counsel and Finance shall review the application. Within two weeks of the date the application was filed, each Director shall provide to the Chief of Police written comments pertaining to the impact the proposed amusement would have on the areas under such department's purview and any recommended changes in the planned operations. The comments from the Fire Department shall also include a statement as to whether the Town can provide adequate fire protection for the proposed amusement.

(c) In reviewing the application, the Chief of Police and the Directors of Fire, Health, Public Works and Parks and Recreation Departments shall consider, but not be limited to, the following: the type of amusement proposed; the suitability of the site for the amusement proposed; access to amusement site by emergency vehicles; the provision for notification of proper authorities in the event of an emergency; public safety; the anticipated crowd size; crowd control; traffic; parking; noise; litter control, including, but not limited to, sufficiency of proposed trash receptacles, dumpster space, and general clean-up during and immediately following amusement; sufficiency of sanitary facilities; compliance with the requirements of the State Public Health Code, other state laws and regulations, and local laws and regulations; and the general impact on the surrounding community and town as a whole.

(d) If the application is submitted pursuant to subsection (a) of section 5-1 of the town ordinances, the Chief of Police may approve such application if the amusement can be conducted in

Sec. 5-4. Notice; Town Council Action on

CHAPTER 5. Amusements

Sec. 5-4a. Permit Application for Regularly Scheduled

a safe manner consistent with the public safety and public welfare of the town and subject to such conditions as the Chief of Police deems necessary.

(e) If the application is submitted pursuant to subsection (b) of section 5-1 of the town ordinances, within one week of receipt of written comments from the Directors, the Chief of Police shall forward those comments to the Town Council. The Chief of Police shall also forward to the Town Council written comments pertaining to the impact the proposed amusement would have on the areas under the purview of the Police Department and any recommended changes in the planned operations, as well as a statement as to whether the Police Department can supply adequate police protection. If the activity involves an application to utilize Town Property as set forth in subsection (b) (2) of section 5-1, the Chief of Police shall also forward to the Town Council a copy of the contract and certificate of insurance.

Effective 03-19-13

Sec. 5-4. Notice; Town Council Action on Applications.

(a) In addition to any other notice required by law, any person who submits an application pursuant to subsection (b) of section 5-1 to conduct a fireworks display, airshow, outdoor carnival, rodeo, circus or tent show shall post a sign on the property where such activity will be conducted which shall be clearly visible from the street for a period of at least ten consecutive days before the Town Council meeting at which the application will be considered. The sign shall state that an application is pending before the Town Council. The applicant shall provide to the Town Council at the Town Council meeting a signed affidavit attesting that the applicant has complied with the sign-posting requirement of this section. The sign, which is available at the office of the Town Planner, shall not be removed until the completion of the Town Council meeting, and must be returned to the office of the Town Planner within seven business days following the Town Council meeting.

(b) After submission of comments by the Chief of Police and the posting of a notice pursuant to subsection (a) of this section, if applicable, the Town Council may vote to approve or disapprove an application submitted pursuant to subsection (b) of section 5-1. In the discretion of the Town Council, approval of the application may be made on certain conditions in order to address public safety, health or welfare concerns presented in the written comments of the Chief of Police or other Directors.

(c) If the application is approved by a majority vote of the Town Council, the Clerk of the Town Council shall forward written approval, including any conditions of such approval, to the Chief of Police. The Chief of Police shall thereafter issue a permit to the applicant for the proposed amusement. Such permit shall clearly state the nature of the amusement, the approved location, date(s), hours of operation and any conditions of approval imposed by the Town Council.

(d) Approval of the application does not relieve the applicant of the obligation to pursue any other permits or licenses that may be required by the State or Town.

(e) If the application is not approved by a majority vote of the Town Council, the Clerk of the Town Council shall notify the applicant in writing of the denial of the application.

Effective: 03-19-13

Sec. 5-4a. Permit Application for Regularly Scheduled Outdoor

Concerts.

(a) A person may submit an application pursuant to section 5-1 of the town ordinances requesting that a permit be issued that would be valid for a series of regularly scheduled outdoor concerts. Such application is subject to the requirements set forth in Section 5-2 and must contain the required information for each of the dates of the proposed regularly scheduled outdoor concert.

(b) Such application is subject to the review and approval process set forth in Sections 5-3 through 5-4.

(c) The Town Council, or the Chief of Police, as the case may be, may approve such application, and pursuant thereto, the Chief of Police shall issue a permit valid for all or some of the regularly scheduled outdoor concerts. The permit shall not be valid for any concert or other event that differs from the description and information contained in the application.

(d) The Chief of Police may revoke any permit issued pursuant to this section if the permittee has had two or more violations of any provision of sections 5-1 through 5-7 of the town ordinances or any condition of any permit issued pursuant to this section.

Sec. 5-4b. Permit Application for Regularly Scheduled Outdoor Amusement Events.

(a) A person who operates a facility, located in a commercial or industrial zone or authorized under Connecticut Zoning laws to operate such facility at such location, that regularly schedules outdoor amusement events may submit an application pursuant to section 5-1 of the town ordinances requesting that a permit be issued that would be valid for all outdoor amusement events, except parades, fireworks display, airshows, outdoor carnivals, rodeos, circuses, tent shows or an outdoor musical performance where more than two hundred and fifty people are anticipated to attend to be held during the calendar year. Such application is subject to the requirements set forth in section 5-2 except that the person may submit information on the outdoor amusement event to the Chief of Police as such information becomes available and in accordance with any conditions or requirements of the Chief of Police.

(b) Such application is subject to the review and approval process set forth in Sections 5-3 and 5-4.

(c) The Town Council, or the Chief of Police, as the case may be, may approve such application, and pursuant thereto, the Chief of Police shall issue a permit valid for all or certain of the regularly scheduled outdoor concerts. The permit shall not be valid for any concert or other event that differs from the description and information contained in the application. The Chief of Police may revoke any permit issued pursuant to this section if the permittee has had two or more violations of any provision of sections 5-1 through 5-7 of the town ordinances or any condition of any permit issued pursuant to this section.

Sec. 5-5. Evidence of Insurance Coverage Required as Prerequisite to Approval of Certain Amusement Permits.

(a) In addition to the application requirements set forth in subsection (b) of Section 5-2, the applicant for a permit to sponsor, produce or conduct an outdoor amusement event shall provide a

Certificate of Insurance indicating that the applicant has obtained a Comprehensive General Liability (CGL) insurance policy and, if required, a liquor liability policy in the limit as set by the Finance Director in consultation with the Risk Manager, to cover any injury to persons or damage to property resulting from such outdoor amusement event. Notwithstanding any other provisions of this Article, no permit to sponsor, produce or conduct an outdoor amusement event shall be issued unless the Town's Finance Director or his representative has reviewed and approved such Certificate. The insurance policy shall be endorsed to add the Town as an additional insured. In addition, no permit to conduct an outdoor amusement event sponsored or co-sponsored in whole or in part by the Town of East Hartford where alcoholic beverages are served shall be granted without the express consent of the Mayor after the purchase by the Town of a Liquor Liability policy in the limits set by the Finance Director in consultation with the Risk Manager.

(b) Notwithstanding any other provisions of this Article, the Town Council shall not approve application for any permits under 5-1 hereof without written notification from the Town's Finance Director or his or her representative that the Certificates of Insurance required by subsection (a) of this section have been reviewed and found acceptable.

Effective: 03-19-13

Sec. 5-6. Permit Fees.

(a) The Chief of Police shall not issue any permit required by this Article until the permittee has paid an amusement permit fee in an amount set by the Council, provided that this fee shall not be applicable to an amusement sponsored in whole or in part by the Town or one of its agencies.

Sec. 5-7. Access to Amusement Site by the Chief of Police and Fire Marshal for Inspections.

In addition to any conditions that may be placed upon a permit by the Town Council or the Chief of Police, every permittee under this Article, as a condition to obtaining such permit, shall cause his place of amusement and the exhibition or performance to be open for inspection at all times to the Chief of Police and the Fire Marshal or representatives thereof.

Voted:04-01-03
Published:04-08-03
Effective: 04-29-03

Sec. 5-8. Theater Inspections.

Theaters which are operating under permit given by the Commissioner of the State Police shall be inspected monthly by inspectors from the Department of Inspections and Permits or any authorized member of the Fire Department.

Effective: 11/17/82

Sec. 5-9. Inspection Fees.

Inspection fees shall be as provided by the Council.

Sec. 5-11. Police Officers
And/Or Fire Department
Personnel At Theaters Or
Permitted Amusements.

CHAPTER 5. Amusements

Sec. 5-13. Target Shooting
Permit.

Sec. 5-10. Standing or Sitting in Aisles.

(a) No person shall stand or sit in any aisle, exit, corridor, or entrance to any theater, show house, house of amusement or other public place where public exhibitions are given, during any performance, or any exhibition.

(b) This Section shall not apply to any policeman or fireman in uniform or to any owner, manager or employee engaged in the management or conduct of such public place.

Sec. 5-11. Police Officers And/Or Fire Department Personnel At Theaters Or Permitted Amusements.

(a) The Chief of Police, if he or she deems it necessary to maintain peace and order, to otherwise provide for the safety of the public, and/or to enforce compliance with the laws of the State and Town, may require any permittee under this Article or the owner or operator of any theater to employ the services of a member or members of the Police Department, and to pay all costs associated with the presence of such officer(s) and the use thereby of any Town-owned vehicles.

(b) The Fire Chief, if he or she deems it necessary to provide for the safety of the public, may require any permittee under this Article or the owner or operator of any theater to employ the services of a member or members of the Fire Department, and to pay all costs associated with the presence of such member(s) and the use thereby of any Town-owned vehicles.

Effective: 4/9/93

Sec. 5-12. Directing Traffic At Theaters Or Permitted Amusements.

The Chief of Police, if he or she determines that any theater or amusement permitted under this Article obstructs or otherwise impedes the flow of vehicular traffic, may require any permittee under this Article or the owner or operator of any theater to employ the services of a member or members of the Police Department, and to pay all costs associated with the presence of such officer(s) and the use thereby of any Town-owned vehicles.

Effective: 4/9/93

Sec. 5-13. Target Shooting Permit.

(a) Any ordinance of the Town to the contrary notwithstanding, the Chief of Police may, upon written application and after due investigation and subject to such conditions and safeguards as may be reasonably necessary to insure the public welfare, issue a permit to an organized target shooting and sporting club authorizing qualified members and guests of such club to participate in target shooting on premises owned, lease or operated by such club. Such permit shall be effective for a period of one (1) year from the date of issue.

(b) The Chief of Police shall have the right to revoke any such permit if, in his opinion,

Sec. 5-14. Violations; License Revocation. **CHAPTER 5. Amusements**

Sec. 5-16. License Required for Each Device.

such revocation will be for the public welfare.

Effective: 7/2/80

Sec. 5-14. Violations; License Revocation.

The violation of any section of this code or of any State law by or on behalf of any person holding a permit pursuant to this Article shall be grounds for revocation of such permit by the Chief of Police, after written notice to such permittee. Said revocation shall be in addition to any other penalty provided in this Code.

Effective: 4/9/93

ARTICLE 2. MECHANICAL AND ELECTRONIC AMUSEMENT DEVICES

Sec. 5-15. Definitions.

As used in this Article:

(1) Distributor shall mean any person who owns or distributes any mechanical or electronic amusement device. (Effective: 8/17/83)

(2) Mechanical or Electronic Amusement Devices means any machine, device or game which, upon the insertion of a coin, slug, token, plate or disc, permits a person or operator to use the device as a game, contest of skill or amusement, whether or not registering a score, which may cause a person or operator of the same to secure some amusement, enjoyment or entertainment, and which is not a gambling device which tends to encourage gambling. It shall include, but not be limited to, such devices as electronic or mechanical game machines, pinball machines, skill ball, bowling machines, or any other mechanical or electronic games or operations similar thereto under whatever name they may be indicated. This definition does not include coin-operated phonographs or merchandise vending machines.

Effective:8/17/83

(3) Operator shall mean any person in whose place of business any such mechanical or electronic amusement device is placed for use by the public.

Effective: 8/17/83

Sec. 5-16. License Required for Each Device.

(a) Every distributor shall obtain a license from the Chief of Police for each mechanical or electronic amusement device placed in operation by him.

(b) Every operator shall obtain a license from the Chief of Police for each mechanical or electronic amusement device in operation in his place of business.

(c) Not more than one (1) such machine or device shall be operated or placed in operation under one (1) license.

Effective: 8/17/83

Sec. 5-17. License Application.

CHAPTER 5. Amusements

Sec. 5-20. Issuance of License; Substitution of Machines; Transferability of License.

Sec. 5-17. License Application.

- (a) Applications for the licenses required in this Article shall be made to the Chief of Police on forms supplied by him for that purpose.
- (b) Each application shall contain the following information, under oath:
 - (1) Name of applicant; if a partnership, names of all partners; if a corporation, club or association, date organized and under laws of what state, and names of all officers;
 - (2) Residence of applicant;
 - (3) Type of business or activities;
 - (4) Whether applicant, or if a corporation, club or association, its officers, have ever been convicted of a crime;
 - (5) Place machine or devices to be displayed or operated and the business or activity conducted at that place. This shall apply only to the operator:
 - (6) Description of type of machine to be covered by the license, provided, that any distributor may be permitted, at the discretion of the Chief of Police, to file with him the information required under this Section, and thereafter, such distributor need not be required to furnish such information upon the signing of each separate application.
- (c) Each applicant for or holder of a distributor's or operator's license shall notify the Chief of Police promptly of any change in the information set forth in the application.

Sec. 5-18. Investigation and Qualifications of Applicant.

The Chief of Police shall investigate the character and record of the applicant for a distributor's or operator's license and the location wherein it is proposed to operate the machine described in the application. He shall not approve the application unless he finds that the applicant is over eighteen (18) years of age and is a person of good moral character and that the business or activity carried on in such location is a bona fide and lawful one, and that the applicant has not been convicted of a violation of this Article or the gambling or alcoholic beverage laws of the State within three (3) years preceding the application.

Sec. 5-19. Denial of License.

In case of the denial of an application or refusal to issue or renew a license because of the disapproval of the Chief of Police, said Chief of Police shall notify the applicant of such action and he shall set a day and place for a hearing thereon, giving the applicant reasonable notice in advance thereof and an opportunity to be represented by counsel at such hearing.

Sec. 5-20. Issuance of License; Substitution of Machines; Transferability of License.

A license shall be issued by the Chief of Police only in the name of the applicant. One mechanical or electronic amusement device may be substituted by a licensee for another similar machine or device under his license, but in the event of a sale or transfer of his business by an

Sec. 5-21. License Fees.

CHAPTER 5. Amusements

Sec. 5-25. Maintenance of Good Order; Gambling; Supervisory Personnel.

operator, a new operator's license shall be obtained by the transferee, and the operator shall notify the Chief of Police of such sale or transfer.

Effective: 8/17/83

Sec. 5-21. License Fees.

Annual license fees shall be paid for each machine or device licensed under this Article in an amount as provided by the Council.

Sec. 5-22. Due Date of Fees.

License fees shall become due on the day on which the license is issued, and shall be prorated from the first day of the month in which the machine is placed in operation, to and including the thirtieth day of June following. Fees for renewal of licenses shall become due on July 1, in each year.

Sec. 5-23. License Revocation.

The Chief of Police may revoke any license issued under this Article for cause, after due notice, in writing, to the licensee and a hearing to be held not less than ten (10) days after the date of such notice. Cause shall be deemed to include, but shall not be limited to, conviction of a crime involving moral turpitude subsequent to the issuance of the license, false information in the application knowingly given, or any violation of this Article.

Sec. 5-24. Display of License.

Operators' and distributors' licenses shall be posted permanently and conspicuously at the location of the machine or device on the premises where the machine or device is to be operated or maintained.

Sec. 5-25. Maintenance of Good Order; Gambling; Supervisory Personnel.

(a) Each operator shall have his place of business and shall not permit any mechanical or electronic amusement device to be used for gambling.

Effective: 8/17/83

(b) Any establishment which has located on the premises more than six (6) mechanical or electronic amusement devices shall be required to provide at least one (1) full time supervisory personnel who shall be on the premises at all times during the hours of operation. Said personnel shall be required to supervise both the indoors and any adjacent parking areas used by patrons of such establishment. Effective: 8/17/83

Sec. 5-26. Gambling Devices
Not Authorized.

CHAPTER 5. Amusements

Sec. 5-29. License Required.

Sec. 5-26. Gambling Devices Not Authorized.

Nothing in this article shall be construed to authorize, license, or permit any gambling devices whatsoever, or any mechanism judicially determined to be a gambling device, or declared to be contrary to the law.

ARTICLE 3. AMUSEMENT RIDES³

Sec. 5-27. Definitions.

As used in this Article:

(1) Amusement Ride shall mean any merry-go-round, Ferris wheel, roller-coaster, whip, or any other like device designed and used for carrying passengers for amusement.

(2) Location shall mean the lot, tract or building where one or more amusement rides may be operated together under one management.

Sec. 5-28. Applicability of Article.

The provision of this Article shall apply to all amusement rides, whether permanently or temporarily located within the town, unless licensed under the provisions of Article 2 of this Chapter.

³State law reference: As to licensing of amusement rides by State, see C.G.S. Sec. 29-133 to 29-143a.

Sec. 5-29. License Required.

(a) No person shall operate an amusement ride within the town without first having obtained a license to operate such ride from the Town's Director of Inspections and Permits, and a license from the State of Connecticut.

(b) Application for such license shall be made upon a form provided by the Director of Inspections and Permits and be accompanied by (1) a copy of the license to operate such amusement ride issued by the State; (2) a copy of the most recent inspection certificate for such ride issued by the State pursuant to Section 29-132 of the Connecticut General Statutes; and (3) a Certificate of Insurance indicating that the applicant has obtained a Comprehensive General Liability (CGL) insurance policy with a \$2,000,000 per occurrence limit to cover any injury to persons (including death) and/or damage to public or private property resulting from the operation of such amusement ride. Such Certificate of Insurance shall be reviewed and approved by the Finance Director or his/her designee prior to the issuance of the license. Effective 05-24-91

Sec. 5-30. License Fee.

The annual license fee shall be in an amount as provided by the Council.

Sec. 5-31. Maintenance of Insurance Coverage

Each and every amusement ride licensed under Section 5-29 of this code shall remain covered by the Comprehensive General Liability (CGL) policy submitted with the license application for as long as it is operated within the town.

Effective: 5/24/91

Sec. 5-32 .Inspections.⁴

(a) All amusement rides shall be inspected at least once annually by the Director of Inspections and Permits.

(b) Before any new amusement ride and before any amusement ride that has been moved and has been dismantled in any manner shall be put into operation, such ride shall be inspected by the Director of Inspections and Permits.

(c) If the Director shall find that the amusement ride is unsafe for passengers, or the operators, he shall order such ride to cease operation until the defects are corrected.

(d) An inspection fee shall be paid by the owner or operator of such amusement rides in an amount as provided by the Council.

Effective: 5/20/81

⁴State law reference: As to inspection by the State, see Gen. Stats., Sec. 29-136.

Sec. 5-33. Fire Inspections.

(a) The Fire Marshal shall inspect all amusement rides located within any structure or building for violations of the fire code. The Fire Marshal and electrical inspector shall also inspect the electrical wiring from any wall socket, outlet or other source to the ride for any possible fire hazards and shall determine whether the aisles are adequate. Aisles shall be at least six (6) feet wide.

(b) If the Fire Marshal determines that a fire hazard exists or that a violation of this Code exists, he may close such rides until the defects are corrected.

ARTICLE 4. POOL BILLIARD HALLS ⁵

Sec. 5-34. License Required.

No person shall maintain any pool or billiard table in any place where such games are publicly

played without first obtaining a license from the Chief of Police for each table so maintained.

⁵State law reference: As to State licensing of pool halls, see Gen. Stats., Sec. 53-280.

Sec. 5-35. License Fee.

The fee for a license to maintain any pool or billiard table shall be in an amount as provided by State Statute.

Effective: 5/20/81

Sec. 5-36. Operation Near School.

No person shall operate or maintain any pool or billiard hall within one thousand (1,000) feet of the property line of any public or private school.

Sec. 5-37. Minors Restricted.⁶

No person owning or operating any place open to the public in which one or more pool or billiard tables are located shall permit any person under the age of sixteen (16) years to enter such premises between the hours of 11:00 p.m. - 3:00 p.m. of the following day on any day that the public schools are open, unless accompanied by his parent or guardian.

⁶State law reference: As to loitering by minors, see Gen. Stats., Sec. 53-281.

Sec. 5-38. Hours of Operation.

No person shall own, operate or maintain any pool or billiard hall or other establishment having more than one (1) pool or billiard table between the hours of 1:00 a.m. - 7:00 a.m.

ARTICLE 5. Licensing of Public Swimming Pools.

Sec. 5-39. Definitions.

(a) "Operator" means any representative of or person employed by the owner or owners of a public pool at the time a public pool is inspected.

(b) "Public Health Code" means the Connecticut Public Health Code as amended from time to time.

(c) "Public Pool" means any pool included in Section 19-13-B33(b)(1), as amended from time to time.

Sec. 5-40. License Required.

(a) No person, including any governmental agency, shall operate, maintain or permit

Sec. 5-41. Suspension or Revocation of License.

CHAPTER 5. Amusements

Sec. 5-41. Suspension or Revocation of License.

the operation of any public pool in the Town of East Hartford without a permit from the Director of Health. Applications for permits shall be made on forms provided by the Director of Health. All applications shall be accompanied by a non-refundable permit fee prescribed by the Town Council, except for those submitted by the Town or Board of Education.

(b) The Director of Health or his designee shall, prior to issuing any license, conduct an inspection of the subject pool to ensure that it complies with all applicable provisions of State and local laws, regulations, codes and ordinances.

(c) Licenses must be renewed annually and may not be transferred or assigned to other parties or locations. Each license shall be prominently displayed in a location accessible to users of the pool.

(d) Public pools owned or operated by the Town of East Hartford or the East Hartford Board of Education shall obtain a license for each public pool under their jurisdiction. No fee shall be charged for licenses issued to such entities.

Sec. 5-41. Suspension or Revocation of License.

- a) The Director of Health or his designee are hereby authorized to enter, inspect, examine, and survey all public pools between the hours of 8:00 a.m. and 5:00 p.m. of any business day and on any day the pool is to be used. Whenever, upon inspection of any public pool, the Director of Health finds that conditions exist which are in violation of any provision of this ordinance or other applicable laws, regulations or codes, the Director of Health shall give a written warning to the operator of such public pool that unless such conditions are corrected within a period of time to be specified by the Director of Health, the license may be revoked. Such period of time shall not exceed thirty days.
- b) At the end of said period of time the Director of Health shall reinspect such public pool. If the Director of Health determines that the conditions have not been corrected, he shall hold a hearing to determine whether the license should be revoked.

Written notice of the hearing setting forth the violations and copies of inspection reports and the time and place of hearing shall be given to the licensee at least seven days prior to the date scheduled for commencement of the hearing. The hearing may be continued from time to time by the Director as the circumstances require. The licensee may be represented by counsel, may cross-examine witnesses and present testimony, documentary or other evidence in support of its claim. If requested to do so, the Director may allow the licensee a reasonable time to submit a written memorandum in support of its claims. Within ten days of the close of the hearing or the date for submission of the memorandum, the Director shall make a decision as to whether or not the license shall be revoked. The decision shall be in writing and a copy mailed by certified mail or hand delivered to the licensee. If the license is revoked the revocation shall be effective upon receipt of the decision by the licensee.

Effective: 01-06-2000