

**MARCH 9, 2021**

The regular meeting of the City Council was held on March 9, 2021 in the City Hall Council Chambers, 111 North Main Street at 7:03 p.m. Present: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado.

**1. MOMENT OF REFLECTION REGARDING COVID PANDEMIC AND ALL HEATHCARE AND FRONTLINE ESSENTIAL WORKERS.**

Mayor Zoppo-Sassu requested a Moment of Reflection on the first anniversary of the COVID pandemic and for all healthcare and frontline essential workers.

**2. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON FEBRUARY 9, 2021.**

On motion of Council Member Hahn and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on February 9, 2021.

**3. PUBLIC PARTICIPATION.**

Katherine Mamed, Executive Director of the United Labor Agency provided an overview of their Building Pathways Program. She explained that it was an apprenticeship training program for people typically underrepresented in the building trades which exposes them to various aspects of the jobs. Their placement rate was over 71%.

Mayor Zoppo-Sassu stated the City of Bristol would embark on a collaborative effort with the Building Pathways Program next spring.

**4. ALL HEART AWARD PRESENTATION BY MAYOR ZOPPO-SASSU TO JENNIFER ARASIMOWICZ.**

Sean Dunn, 35 Evelyn Rd., (by video teleconference) Chair of the City Energy Commission provided a summary of Jennifer's accomplishments. He stated she was a lawyer with expertise in the State's energy and technology sectors. He wished her well on her move to another town.

Council Member Hahn highlighted Jennifer's contributions to the City. He explained she spent ten years challenging Northeast Utilities for ownership of streetlights in Torrington. This caused other municipalities to assess their current and past expenses for streetlights which saved money and provided impetus to create the Mayor's Task Force on Energy Consumption in 2008. She was instrumental in educating commission members in State and Federal regulations and creating changes in State legislation.

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Mayor Zoppo-Sassu added that Jennifer was also a founding member of the Bristol Downtown Development Corporation charged with reshaping Centre Square. She presented Jennifer with a pin and the All Heart award to acknowledge her energy and vision to help Bristol invest in its future over the last decade.

**5. APPROVAL FOR MAYOR OR ACTING MAYOR TO EXECUTE LETTER OF INTENT WITH CARRIER CONSTRUCTION, INC., OR ITS ASSIGNS FOR EXCLUSIVE RIGHTS TO PARCELS 5, 6, 7, AND 8 ON MAP OF “CENTRE SQUARE RESUBDIVISION”.**

Communication from the Economic and Community Development Department Executive Director regarding a Letter of Intent with Carrier Construction, Inc. for exclusive rights to Parcels 5, 6, 7, and 8.

On motion of Council Member Preleski and seconded, it was unanimously voted: To move up the agenda item regarding a Letter of Intent with Carrier Construction, Inc., or its assigns for exclusive rights to Parcels 5, 6, 7, and 8 on the map known as “Centre Square Resubdivision”.

On motion of Council Member Preleski and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute a Letter of Intent with Carrier Construction, Inc., or its assigns for exclusive rights to Parcels 5, 6, 7, and 8 on the map known as “Centre Square Resubdivision” dated June 5, 2017 for a mixed-use development that includes approximately 90 market-rate apartments and commercial space for rent, subject to the approval and review of the Corporation Counsel.

**6. ADOPTION OF CONSENT CALENDAR.**

On motion of Council Member Hahn and seconded, it was unanimously voted: To adopt twelve matters as part of the Consent Calendar.

**7. NEW HIRE REPORT FOR FEBRUARY, PLACED ON FILE.**

Communication presented from the Human Resources Department.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the New Hire Report for the month of February, 2021.

**8. MOTOR VEHICLE, PERSONAL PROPERTY, AND REAL ESTATE TAX REFUNDS IN AMOUNT OF \$107,784.21, APPROVED.**

Request presented from the Tax Collector.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve the Tax Refunds as follows –

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Motor Vehicle	\$10,455.36
Personal Property	1,591.33
Real Estate	<u>95,737.41</u>
Total	\$107,784.21

**9. CONTRACT 2P20-046 PROFESSIONAL SERVICES RELATIVE TO DESIGN AND PREPARATION OF CONSTRUCTION DOCUMENTS FOR JEROME AVENUE BRIDGE AWARDED TO WENGELL, MCDONNELL & COSTELLO, INC. FOR \$176,628.50.**

Communication from the Purchasing Agent regarding a Contract for Professional Services Relative to the Design and Preparation of Construction Documents for the Jerome Avenue Bridge.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To award Contract 2P20-046 Professional Services Relative to the Design and Preparation of Construction Documents for Jerome Avenue Bridge Across From Freeman's Hill Brook to Wengell, McDonnell & Costello, Inc. for \$176,628.50, and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said Contract.

**10. AUTHORIZATION FOR MAYOR OR ACTING MAYOR TO EXECUTE C-PACE PARTIAL RELEASE AGREEMENT BETWEEN CITY OF BRISTOL AND CONNECTICUT GREEN BANK, APPROVED.**

Communication from the Assistant Corporation Counsel Conlin regarding the C-Pace Partial Release Agreement.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute the C-Pace Partial Release Agreement between the City of Bristol and the Connecticut Green Bank.

**11. APPROVAL FOR PARKS, RECREATION, YOUTH & COMMUNITY SERVICES TO SUBMIT ALDI'S SMART KIDS GRANT APPLICATION FOR \$5,000.**

Communication from the Deputy Superintendent of Parks, Recreation, Youth & Community Services regarding an Aldi's Smart Kids Grant for \$5,000.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve the submission of an Aldi's Smart Kids Grant for \$5,000 from the Parks, Recreation, Youth & Community Services department to help support the All Heart Park Pack program and to authorize the Mayor or Acting Mayor to execute any and all documents necessary regarding the application/grant.

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**12. MAYOR OR ACTING MAYOR AUTHORIZED TO SIGN DOCUMENTS FROM LOCAL, STATE AND FEDERAL REGULATORY AGENCIES FOR CONSTRUCTION AUTHORIZATION OF MEMORIAL BOULEVARD RETAINING WALL REPAIR.**

Communication from the City Engineer regarding authorizing the Mayor or Acting Mayor to sign any and all documents for construction authorization of the Memorial Boulevard Retaining Wall repair.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents associated with and required by local, State and Federal regulatory agencies for construction authorization of the Memorial Boulevard Retaining Wall repair.

**13. MAYOR OR ACTING MAYOR AUTHORIZED TO SIGN DOCUMENTS FOR INSTALLATION OF SEDIMENTATION BASIN AT PINE LAKE AND EXECUTION OF AMENDMENT EXTENDING CONTRACT OF CT URBAN ACT GRANT.**

Communication from the Director of Public Works regarding authorizing the Mayor or Acting Mayor to sign documents for the installation of a sedimentation basin at Pine Lake and extending the Contract of the CT Urban Act grant.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents associated with the installation of a sedimentation basin at Pine Lake including execution of an amendment extending the Contract of the CT Urban Act grant in the amount of \$51,459.77 to December 31, 2021.

**14. MAYOR OR ACTING MAYOR AUTHORIZED TO SIGN DOCUMENTS FOR CONNECTICUT DEPARTMENT OF TRANSPORTATION TO CHANGE FUNCTIONAL ROADWAY CLASSIFICATION OF DIVINITY STREET AND PECK LANE FROM LOCAL TO COLLECTOR.**

Communication from the Director of Public Works regarding a functional roadway classification change.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents associated with the request to the Connecticut Department of Transportation to change the functional roadway classification of Divinity Street and Peck Lane from Local to Collector.

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**15. MAYOR OR ACTING MAYOR AUTHORIZED TO SIGN DOCUMENTS FOR RENEWAL OF LANDFILL STEWARDSHIP PERMIT WITH CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.**

Communication from the City Engineer regarding the Bristol Landfill Stewardship Permit renewal.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents associated with and required by Connecticut Department of Energy and Environmental Protection for the renewal of the Landfill Stewardship Permit.

**16. RECOMMENDATION FROM PLANNING COMMISSION TO DISPOSE OF LOT 12 WATERBURY ROAD ON ASSESSOR'S MAP 10, PLACED ON FILE.**

Recommendation from the Planning Commission regarding Lot 12 Waterbury Road on Assessor's Map 10.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the recommendation from the Planning Commission to dispose of Lot 12 Waterbury Road on Assessor's Map 10 as there is no apparent municipal use for the property.

**17. RECOMMENDATION FROM PLANNING COMMISSION TO MOVE FORWARD WITH REHABILITATION OF BRIDGE #04105 LOCATED NEAR INTERSECTION OF MEMORIAL BOULEVARD AND DOWNS STREET, PLACED ON FILE.**

Recommendation from the Planning Commission regarding rehabilitation of Bridge #04105 located near the intersection of Memorial Boulevard and Downs Street.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the recommendation from the Planning Commission to move forward with the rehabilitation of Bridge #04105 located near the intersection of Memorial Boulevard and Downs Street, as it is consistent with the goals and policies of the 2015 Plan of Conservation and Development amended to April 1, 2018.

**18. DESIGNATED FUND AGREEMENT BETWEEN CITY CEMETERY COMMISSION AND MAIN STREET COMMUNITY FOUNDATION, INC. REGARDING FUND BALANCE TRANSFER FOR MAINTENANCE OF PARDEE FAMILY MONUMENTS, APPROVED.**

Communication from the Assistant Corporation Counsel Lacey regarding the Designated Fund Agreement between the City Cemetery Commission and the Main Street Community Foundation, Inc. for the maintenance of the Pardee family monuments.

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As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve the Designated Fund Agreement between the City Cemetery Commission and the Main Street Community Foundation, Inc. to transfer the fund balance for the maintenance of the Pardee family monuments and to authorize the Mayor or Acting Mayor to execute any and all necessary documents.

**19. MAYOR OR ACTING MAYOR AUTHORIZED TO SIGN APPLICATION FOR VARIANCE ON BEHALF OF STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION FOR 176 SCHOOL STREET FOR INTERSECTION IMPROVEMENTS ON ROUTE 72 AT ROUTE 69.**

As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chrm., and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign an Application for Variance on behalf of the State of Connecticut, Department of Transportation for City owned property known as 176 School Street. The Department of Transportation will be conducting intersection improvements on Route 72 at Route 69 (State Project 17-187) and the proposed acquisition of 4,520 +/- square feet of this City parking lot may result in the City lot not being in compliance with Zoning Regulations. It was also voted to refer this matter to the Corporation Counsel to effectuate this motion.

**20. SALE OF 801 BURLINGTON AVENUE, LOT #175/63 DUTTON AVENUE, 43 EAST MAIN STREET, LOT #88 KILMARTIN AVENUE, LOT #102 KILMARTIN AVENUE, AND LOT #106 KILMARTIN AVENUE REFERRED TO PLANNING COMMISSION FOR C.G.S. §8-24 REPORT.**

As recommended by the Real Estate Committee and on motion of Council Member Hahn, Chrm., and seconded, it was unanimously voted: That the following properties be referred to the Planning Commission for a C.G.S. §8-24 Report for the purpose of selling certain parcels of land known as: 801 Burlington Avenue; Lot #175/63 Dutton Avenue; 43 East Main Street; Lot #88 Kilmartin Avenue; Lot #102 Kilmartin Avenue; Lot #106 Kilmartin Avenue. It was also voted to refer the above-mentioned properties to the Department of Public Works and the Water and Sewer Department to determine if they have a use for the property prior to being sold.

**21. INCREASE IN RATE OF PAY FOR POSITION OF PART-TIME/SEASONAL CERTIFIED NURSE IN DEPARTMENT OF PARKS, RECREATION, YOUTH AND COMMUNITY SERVICES, APPROVED.**

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To approve an increase in the rate of pay for the position of part-time/seasonal certified nurse in the Department of Parks, Recreation, Youth and Community Services from \$26.90/hour to a range of \$50-\$60/hour effective immediately. It was also voted to refer this matter to the Board of Finance for any necessary action.

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**22. CREATION OF PART-TIME/SEASONAL POSITION OF PARK AMBASSADOR IN DEPARTMENT OF PARKS, RECREATION, YOUTH AND COMMUNITY SERVICES, APPROVED.**

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To approve the creation of a part-time/seasonal position of Park Ambassador in the Department of Parks, Recreation, Youth and Community Services at the pay rate of \$25/hour effective immediately. It was also voted to refer this matter to the Board of Finance for any necessary action.

**23. CREATION OF A FULL-TIME, NON-BARGAINING POSITION OF ARTS AND CULTURE SUPERVISOR IN DEPARTMENT OF PARKS, RECREATION, YOUTH AND COMMUNITY SERVICES, APPROVED.**

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To approve the creation of a full-time, non-bargaining position of Arts and Culture Supervisor in the Department of Parks, Recreation, Youth and Community Services at a salary range of \$61,003 - \$80,650 effective immediately. It was also voted to refer this matter to the Board of Finance for any necessary action.

**24. APPROVAL OF NEW POSITION OF LIBRARY TECHNICAL SERVICES COORDINATOR IN INFORMATION TECHNOLOGY DEPARTMENT (LOCAL #233 – SALARY CODE 11) EFFECTIVE IMMEDIATELY AND ELIMINATION OF POSITION OF COMPUTER LAB SUPERVISOR IN LIBRARY (LOCAL #233 – CODE 7).**

As recommended by the Salary Committee and on motion of Council Member Fortier, Chrm., and seconded, it was unanimously voted: To approve a new position of Library Technical Services Coordinator in the Information Technology Department (Local #233 – Salary Code 11) effective immediately and eliminate the position of Computer Lab Supervisor in the Library (Local #233 – Code 7). It was also voted to refer this matter to the Board of Finance for any necessary action.

**25. AMENDMENTS TO BRISTOL CODE OF ORDINANCES CHAPTER 10 – SOLID WASTE, ADOPTED.**

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To amend and adopt the Bristol Code of Ordinances Chapter 10 – Solid Waste. It will be effective upon the expiration of fourteen days of its newspaper publication, and reads as follows –

Underscored text is proposed to be added. [Bracketed] text is proposed for deletion.

Chapter 10 - SOLID WASTE<sup>11</sup>

Footnotes:

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Editor's note— An ordinance adopted June 12, 2001, amended Ch. 10 in its entirety to read as herein set out. Such amended provisions, being §§ 10-1—10-14, 10-21—10-33 and 10-41—10-47, have been set forth in lieu of former §§ 10-1—10-13, 10-21—10-30, 10-41—10-47 and 10-50—10-62, which had been derived from ordinances adopted Aug. 12, 1985; Sept. 9, 1985; Jan. 11, 1988; July 23, 1990; and Nov. 13, 1990. See the Code Comparative Table for further information.

Cross reference— Health and sanitation, Ch. 11; general requirements relating to the safe and sanitary maintenance of dwellings, Ch. 12, Art. IV; junk dealers, Ch. 13, Art. II; disposition and removal of trash on open space lands, § 21-184; water, sewers and sewage disposal, Ch. 22; enforcement by citation officers, Ch. 23.

State Law reference— Authority re collection and disposal, G.S. §§ 7-148, 7-194(14); disposal plants and transportation, G.S. §§ 7-161, 7-162.

## ARTICLE I. - IN GENERAL

### Sec. 10-1. - Purpose of chapter.

The purpose of this chapter is to regulate the collection and disposal of refuse and recyclables in accordance with generally accepted standards of sanitation and to prevent and control unsanitary or unhygienic practices concerning refuse that might constitute a menace to the safety and health of the city.

(Ord. of 6-12-01)

### Sec. 10-2. - Definitions.

As used in this chapter, the following terms shall have the meanings indicated, unless the context clearly indicates otherwise:

*Acceptable Curbside Collected Recyclable Materials* shall consist of materials required to be recycled by the Connecticut State Statutes, along with any materials designated by the Board of Public Works and as posted from time to time on the City Public Works website.

*Acceptable Curbside Collected Rubbish* shall consist of solid waste generated at a residential dwelling and shall include refuse, garbage and other solid waste materials permitted under applicable law to be accepted for disposal at a State approved facility and allowed by the Board of Public Works and as posted from time to time on the City Public Works website.

[*Acceptable solid waste* means the type of solid waste normally collected and disposed of in the city, including, but not limited to: garbage, trash, rubbish, refuse, offal, beds, mattresses, sofas, bicycles, auto parts, household appliances, baby carriages, automobile or small vehicle tires, as well as processible portions of commercial and industrial solid waste, and logs if no more than four (4) feet long and/or six (6) inches in diameter, branches, leaves twigs, grass and plant cuttings, excepting, however, unacceptable waste and hazardous waste.]

*Ashes* shall mean the solid residue of combustion of any type of fuel.



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[*Automated collection* shall mean the collection of residential solid waste utilizing specialized collection containers and equipment.]

*Board* means the [b]Board of [p]Public [w]Works of the City of Bristol.

*Brush* shall mean branches no larger than six (6) inches in diameter and no longer than four (4) feet.

*Bulky waste* shall mean building demolition, logs (excluding stumps), brick, asphalt pavement, boulders, ledge, sheet rock, asphalt shingles, and ceramic items such as toilets and tile.

*City* means the City of Bristol, CT as incorporated in the state of CT.

*Collector* means any person, company or agency who holds him/herself out to collect, haul, transport or dispose of solid waste from residential, business, commercial or other establishments.

*Combustible rubbish* shall mean all burnable refuse.

*Director* means the [d]Director of [p]Public [w]Works of the City of Bristol or his designee.

[*Disposal area or facility* shall mean any area or facility designated by the city for the disposal of refuse.]

*Electronic waste* shall mean electronic products to be recycled as defined by Chapter 446n, Section 22a-629 thru Section 22a-640, Connecticut General Statutes.

*Garbage* shall mean any animal or vegetable matter or product of the putrefaction or decomposition thereof, which accumulates in the preparation of food and any offal or refuse of meats, fish, fowl, vegetable or spoiled foods and other refuse or waste subject to decay.

[*Generator* means buildings containing more than five (5) dwelling units on one lot, condominiums, apartments, mobile home parks, commercial and industrial non-product related solid waste permitted to enter the Transfer Station.]

*Hazardous waste* means that portion of solid waste which by reason of its composition or characteristics is:

- (1) Hazardous waste as defined in the Solid Waste Disposal Act, 42 U.S.C. 6901 et seq., 40 CFR 261.3, and the regulations thereunder, or in section 22a-209-1 of the Regulations of Connecticut State Agencies, and any succeeding legislation or regulations or amendments to the foregoing; or
- (2) Any other materials which any governmental agency or unit having appropriate jurisdiction shall determine from time to time is harmful, toxic or dangerous, or otherwise ineligible for disposal through a resource recovery facility; and

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- (3) Any material which would result in process residue being hazardous waste under subsection (1) or (2) above.

[*Household rubbish* shall mean all solid waste generated by residential properties excluding recyclable solid waste, hazardous waste, motor vehicle parts, and demolition materials.]

[*IPC* means the regional Intermediate Processing Center designated by Tunxis Recycling.]

[*Noncombustible rubbish* shall mean all nonburnable refuse such as glass, bottles, tin cans, metal food containers, tinware, scrap metal, auto parts, pipe, other metallic substances, rocks, sod, earthenware, brick, concrete, appliances, plaster, and other mineral substances.]

*Nonresidential property* shall include all commercial or industrial facilities, nonprofit organizations, condominiums and apartment buildings with more than five (5) dwelling units.

*Person* means a natural person, corporation, trust, estate, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

[*Recyclable solid waste* means the type of solid waste normally generated, collected or disposed of in the city, which is or has been designated by the commissioner of the department of energy and environmental protection, the Tunxis Recycling Operating Committee and/or the board of public works to be recycled.]

*Refuse* shall be construed to be all-inclusive and shall include, but not be limited to, all solid wastes of the city, originating in the city, including all garbage, ashes, combustible rubbish, noncombustible rubbish, and trade wastes. Refuse shall not include body wastes, large tree branches, tree trunks, stumps, tree roots, sludge, animals, automobiles and large automobile parts or material from demolished buildings (bulky waste).

*Residential property* means real estate containing one (1) or more dwelling units but not more than five (5) units on one lot and shall not include hospitals, motels or hotels, apartment buildings, mobile home parks, nursing centers and condominiums.

[*Residue* means solid waste remaining after any recycling facility holding a permit has processed the waste, but excluding wastes which are toxic or hazardous.]

[*Salvageable trade wastes* shall mean all refuse that has use or value to a person or establishment other than those producing the same.]

[*Semi-automated collection* shall mean the collection of residential solid waste utilizing specialized containers and container tipper equipped collection equipment.]

[*Solid waste* means all discarded materials or substances including, but not limited to, garbage, refuse, sludge from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, electronic devices, household appliances, tires, auto parts, contained gaseous materials, incinerator residue, demolition and construction debris, offal and other

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discarded materials and substances resulting from industrial, commercial, mining, and agricultural operations and from community activities, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form or solid or dissolved materials in irrigation return flows or industrial discharges, or source, special nuclear or byproduct materials within the meaning of the Atomic Energy Act of 1954, as amended.]

*Solid waste collector* means a person engaged in the business of collecting, transporting or disposing of solid waste generated within the boundaries of the city.

[*Special pick-up* shall mean a scheduled residential pick-up for either a large quantity of solid waste and/or large residential items that would not normally fit into a standard household rubbish container including appliances, large furniture (sofas, chairs, mattresses, etc.) water heaters, tires, electronic devices, but excluding building demolition materials.]

[*Trade wastes* shall mean all wastes and portions thereof from wholesale and retail establishments, and products of manufacturing, end products of food preparation for sale, or scraps of leftovers of nonsalable portions thereof.]

*Unacceptable Curbside Collected Rubbish* shall consist of all materials not permitted under applicable laws to be accepted for disposal at a State approved disposal site and materials restricted by the Board of Public Works. Common unacceptable curbside collected rubbish includes leaves, brush, woodchips, grass clipping, demolition materials (sheetrock, shingles & tile), dirt, sod, sand, rocks, bricks, concrete, metals larger than one cubic foot, electronics, chemicals, hot ashes, smoke detectors, mercury containing thermostats or thermometers, oil based paint and latex paint cans (dried or liquid).

[*Unacceptable waste* means that portion of solid waste, excluding hazardous waste, but including, without limitation, explosives, pathological and biological waste, radioactive materials, ashes (except residential ash), foundry sand, sewage sludge (unless processed to permit incineration), cesspool and other human waste, human remains and animal carcasses, motor vehicles, including such major motor vehicle parts as automobile transmissions, engines, rear ends, doors, springs and fenders, agricultural and farm machinery and equipment, marine vessels and major parts thereof, any other large machinery or equipment, liquid wastes, or nonburnable construction materials and/or demolition debris, that:

- (1) May present a substantial endangerment to public health or safety;
- (2) May cause applicable air quality or water effluent standards to be violated by the normal operation of a resource recovery facility; or
- (3) Has a reasonable possibility of adversely affecting the operation of a resource recovery facility, unless such unacceptable waste is delivered in minimal quantities and concentration as part of normal collections in which case it shall constitute acceptable waste.]

*User* shall mean any person who sends or delivers refuse to the disposal area or facility.

*Yard waste* shall mean grass clippings, plants of all types, leaves, woodchips, and small twigs no thicker than one (1) inch in diameter and no longer than twelve (12) inches. (Ord. of 6-12-01; Ord. of 6-12-12)

Cross reference— Rules of construction and definitions generally, § 1-3.

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Sec. 10-3. - Disposal restricted generally.

Except as provided in Article II of this chapter, no person shall dispose of any refuse or garbage within the city, except at the designated disposal areas or facilities provided by the city.

(Ord. of 6-12-01)

Sec. 10-4. - Private premises storage and disposal restrictions.

(a) [From time to time t] The [b]Board of [p]Public [w]Works [may designate areas of the city to be serviced by automated/semi-automated collection in which case the board of public works] shall designate acceptable container type, fee, color and size. City-provided containers shall remain the property of the City of Bristol. No paint, crayon, marker or other material shall be applied to the container unless approved by the board of public works. Residents may use two-inch number stickers to identify their containers by house/apartment number. The director of public works, or agent, may remove any city-owned container that is defaced in a manner that violates terms of section 10-4 from service. Replacement of these removed containers will be at the property owner's expense. Additional rubbish or recycling containers are available only through a fee-paid annual subscription. Additional rubbish containers must have a valid paid sticker displayed in the designated area in order to be collected.

[(b) All ashes on private premises shall be stored in fire-resistant containers with close-fitting covers. Such containers shall be equipped with adequate handles to facilitate collection. Ashes containing hot embers shall not be placed in containers for collection. Ash must be double-bagged prior to placement in container for collection.]

[(c)b] Refuse shall not be permitted to accumulate on any private premises except in approved containers, trash or refuse storage bins, racks, or enclosures as described in this section.

[(d)c] If in the opinion of the [d]Director of [h]Health or their agent, an unsanitary or unhygienic condition exists on any private premises within the city, the [d]Director of [h]Health or their agent may require the user to take such action as is necessary to correct the situation including the construction of refuse storage bins, racks or enclosures, and the treatment of refuse, refuse containers and refuse storage bins, racks and enclosures with disinfectants, deodorizers and/or exterminating compounds. All such action shall be under the direction of and subject to the approval of the [d]Director of [h]Health or their agent. The [d]Director of [h]Health or their agent may order the public works department onto any property to eliminate unsanitary conditions at the property owner's expense.

[(e)d] The owner or occupant of any private premises shall insure that all solid waste stored on the premises does not create offensive odors, create air or water pollution problems, invite the breeding of flies, mosquitoes or rodents, create a fire hazard, or in any other manner tend, in the opinion of the director of health or their agent, to constitute a nuisance or a potential health hazard.

(Ord. of 6-12-01; Ord. of 6-12-12; Ord. of 7-9-13)

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Sec. 10-5. - Rubbish storage regulations for mercantile and business establishments and multiple dwellings.

- [(a) When, in the opinion of the building inspector, fire marshal or health authority, a storage area is needed in lieu of metal containers in order to remedy conditions presenting a fire hazard resulting from the storage of combustible rubbish, waste, boxes, cartons, paper, etc., tires, automobiles and automobile parts at mercantile and business establishments and multiple dwellings, orders shall be issued by those in authority to remedy such conditions within a reasonable time.
  - (b) Inside storage rooms for the storage of the materials described in subsection (a) of this section shall be of two-hour construction throughout, with a door to the outside. Inside doors shall be equipped with a self-closing mechanism. Storage rooms having an outside door only may have an unrated metal door without a self-closing mechanism but equipped with locking facilities.
  - (c) Outside storage rooms for the materials described in subsection (a) of this section shall be constructed of masonry and equipped with locking facilities. The room must be constructed of noncombustible material when attached to buildings. The doors and frames must be of metal construction. Storage facilities having a room for combustible materials shall be located not less than fifteen (15) feet from any building.]
  - [(d)a] Outside storage bins for all establishments having car parts and all items pertaining to the repairing of motor vehicles shall be constructed of masonry and must be of sufficient size to conceal this type of storage. Bins shall not be constructed on a wall having windows above unless it has a metal roof. Bins constructed on a wall having no windows and noncombustible trim may be constructed without a roof. Bins shall be equipped with metal door and locking facilities. If bins are also used for paper, cartons, rags and miscellaneous combustibles, they must be constructed with a metal roof or cover.
  - [(e)b] Metal commercial type containers, completely enclosed, may be used, normally, for the storage of [materials described in subsection (a) of this section] combustible rubbish, waste, boxes, cartons, paper, etc., tires, automobiles and automobile parts. If they are constructed specially for the user's own requirements, they must be approved by the building inspector, fire marshal or health authority.
  - [(f)c] Used tires may be stored in a fenced in enclosure out of direct sight of the street. The storage area must have a paved or concrete floor. The area must be covered to prevent the accumulation of rain water in the tires. In lieu of an enclosure establishments may request a waiver to use alternative storage from the director of public works and zoning enforcement officer.
  - [(g) Containers for garbage and rubbish must be made of nonrusting material. They must be watertight, having a tight-fitting cover.]
- (Ord. of 6-12-01; Ord. of 6-12-12)

[Sec. 10-6. - Disposal of small animal carcasses.

No dead small animal shall be disposed of except as provided in this section. It may either:

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(1) Be buried in a hole and covered with dirt to a depth of at least two (2) feet; or

(2) In a manner approved by the director of public works.

(Ord. of 6-12-01)

Cross reference— Animals and fowl, Ch. 4. ]

[Sec. 10-7. - Junkyards prohibited.

Automobile junkyards or any other type of junkyards are prohibited in the city. The parking or storage of two (2) or more unregistered or inoperable motor vehicles shall be considered an automobile junkyard.

(Ord. of 6-12-01) ]

[Sec. 10-8. - Violations.

Each day any violation of this section is willfully continued after official notice from either the director of public works or the director of health to halt or correct such violation shall be deemed a separate offense and be penalized as such.

(Ord. of 6-12-01)]

[Sec. 10-9. - Bulky waste disposal site.

A means shall be provided for residents to dispose of bulky waste items; that include sheet rock, asphalt shingles, ceramic items such as toilets and tile, and other items/materials authorized by the board of public works; at the solid waste transfer station. In addition to any applicable permit fees, users shall pay to the city a tipping fee in a sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Tickets sold prior to the establishment of the automated fee system may be returned to the city for credit towards the automated fee system until such date established by the board of public works, at which time the tickets will become invalid.

Clean fill consisting of sand, dirt, asphalt pavement, boulders, cement, and brick will be accepted at the discretion of the board of public works.

(Ord. of 6-12-01; Ord. of 2-10-04; Ord. of 6-12-12)]

[Sec. 10-10. - Solid waste transfer station.

(a) There shall be created at least one (1) solid waste transfer station for the purpose of depositing acceptable solid waste, rubbish and recyclables, generated in the city. The solid waste transfer station for acceptable solid waste shall be for the following users:

(1) Residential property owners and tenants wishing to bring acceptable solid waste generated by them to the solid waste transfer station.

(2) Commercial, industrial and contractor businesses not meeting the requirements for disposal in the Bristol Resource Recovery Facility.

(3) Residential property owners and generators wishing to bring recyclable solid waste generated by them to the station.

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- (b) All persons using the solid waste transfer station facility shall source separate materials brought thereto into the appropriate container or area set aside for that purpose.
- (c) Prior to disposing of any item or items at said transfer station, a permit/windshield sticker or other identifying tag shall be obtained from the director of public works. Residential property owners and tenants shall pay a permit fee set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Proof of residency/property ownership must be presented to city employees on request. Commercial, industrial and contractor businesses shall pay an annual permit fee set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. A current certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder shall be required. Supplied stickers, tags, residential, commercial, yard waste, and generator must be applied to the vehicle as instructed in the lower drivers' side corner of the windshield or as directed by the director of public works in order to be granted access to the transfer station. Replacement permits for replacement vehicles or replaced windshields will be granted free of charge only if the non-expired sticker is removed from the old vehicle and presented to the department of public works. Otherwise, a new permit must be purchased. Lost or misplaced permit tags are subject to fees set by the board of public works. The application requirements, issuance of permits, and expiration, revocation, and renewal of permits shall be as set forth and required in article II of this chapter, as the same may be amended from time to time. If a previous permit has been suspended or revoked, the resident will not be reissued a permit for a time period as determined by the director of public works.
- (d) The hours of normal operation of the transfer station facility shall be set by the board of public works. The director of public works may make temporary adjustments of the operating hours of the station to address situational events such as storm clean-up, leaf collection, etc.
- (e) In addition to the annual permit fee, all persons using the transfer station shall pay to the city a tipping fee set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council.
- (f) Deliveries by residential property owners and tenants to the transfer station shall be made by the owners' or tenants' own automobile, pickup truck or small trailer only except that a borrowed vehicle (residential or commercial) used for a resident's personal use may be allowed access to the transfer station under rules established by the board of public works.
- (g) A vehicle may be classified as commercial if it has exterior business stenciling, is a dump truck, panel truck, box truck, ladder rack, or any vehicle or trailer with a storage bed larger than eight (8) feet long by six (6) feet wide. Commercial vehicles will be required to have commercial permits and pay commercial fees.
- (h) Materials and requirements for recycling shall be established by the board of public works.
- (i) All persons using the transfer station facility shall source separate recyclable material into the appropriate recycling container or area set aside for that purpose.

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- (j) Any resident of the city may bring separated recyclable material to the recycling station after purchase of a transfer station permit and payment of required fees.
- (k) Brush, less than six (6) inches in diameter and four (4) feet in length, may be brought to the transfer station for chipping and disposal by the city. Stumps are not accepted at the facility.
- (l) All pressurizable tanks, including propane tanks, with valves removed shall be disposed at the transfer station as scrap metal. Only 20-pound gas grill tanks in good working order will be accepted with valves, which must contain a transport/storage plug.  
(Ord. of 6-12-01; Ord. of 2-10-04; Ord. of 6-12-12)]

Sec. 10-[11]6. - Curbside Collected Rubbish [pickup of household rubbish].

The [b]Board of [p]Public [w]Works shall [may] institute weekly curbside collection of household rubbish materials from residential dwelling units. Only materials meeting the definition of "acceptable curbside collected rubbish" can be disposed of and will be collected by the City. [The types of materials designated as household rubbish shall be as set forth in regulations established by the board of public works.]

Residential household rubbish (for single through five (5) residential dwelling units per building) shall be sorted and packaged as follows:

- (a) Containers for household rubbish must be city issued. [From time to time the board of public works may designate areas of the city to be serviced by automated/semi-automated collection in which case the board of public works shall designate acceptable container type and size.] The Department of Public Works will only collect rubbish contained in a City issued container.
- (b) All household rubbish containers shall be placed curbside no sooner than 3:00 p.m. the day preceding the collection day nor later than 6:00 a.m. on the designated collection day. Containers shall not be placed within five (5) feet of all obstructions (parked vehicles, mail boxes, other solid waste containers, trees bushes, etc.) Empty containers shall be removed from curbside no later than twelve (12) hours after collection.
- (c) [Extinguished cold ash, saw dust, cat box litter, and other similar particulate waste must be doubled bagged prior to placement in collection containers.] Solid waste that does not meet the requirements of "acceptable curbside collected rubbish" will not be collected. Recyclable materials are not allowed in rubbish barrels. All rubbish must be placed in a bag contained within the barrel and the barrel lid must be closed.
- (d) Household syringes shall be disposed of in accordance with all state and federal regulations and/or procedures established by the board of public works.
- [(e) Latex (water base) paint shall be dried using "cat box" clay or similar absorbent material prior to disposal with rubbish. Latex paint can lids must be removed prior to disposal with rubbish to indicate no liquid material remains. Latex paint may also be spread on newspapers, dried, and discarded in rubbish. All other paints and chemicals, liquid and solid, must be disposed of during scheduled household hazardous waste collections, or as specified by the board of public works. Motor oil



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and antifreeze may be disposed of by residents at the transfer station, see section 10-10. Empty chemical containers are not considered hazardous waste and should be disposed of with rubbish.]

- (e) No curbside acceptable recyclable materials shall be placed in the rubbish container.
- (f) Barrels containing materials classified as “unacceptable curbside collected rubbish” will not be collected.

All curbside collected rubbish containers are [household rubbish is] subject to inspection [at curbside or designated pickup locations] by the collector and/or the city to determine proper separation and segregation of recyclable solid waste and other solid waste as set forth in this article.

City issues barrels damaged through normal wear and tear shall be repaired or replaced at City expense by the Department of Public Works. The City provides each residential property one rubbish barrel per unit. Any additional barrels can be purchased by the resident at a fee approved by the Board of Public Works.

The [d]Director or their designee, upon receipt of notice of a violation shall give written notice to the generator of the solid waste that a violation has occurred. [Upon receipt of a second notice of violation as to the same generator,] If warranted, the [d]Director shall issue a second notice of violation which shall advise the generator that subsequent violations shall be cause for penalties in accordance with this article, and that future recyclable solid waste from said dwelling unit shall not be collected at the sole option of the city.

All properties receiving curbside rubbish collection services as of January 1, 2018 shall be classified as residential unless otherwise defined by the Board of Public Works. The Department of Public Works shall be authorized to suspend or cease curbside rubbish collection service to any property that does not meet the definition of residential property. Any property owner that converts a residential property to a commercial, industrial or condominium use shall notify the Department of Public Works within 30 days. Upon receipt of the said notice or an investigation performed by the Department of Public Works determines that the property is classified as a non-residential property, the suspension or elimination of curbside rubbish collection services may result.

The Board of Public Works reserves the right to approve owner supplied barrels such as bear proof barrels, however the barrels must meet City collection requirements and be approved by the Director of Public Works. The purchase and repair of said barrels shall be at the owner’s sole expense.

The Board of Public Works reserves the right to establish a weight limit for all materials deposited in the City issued curbside collected rubbish barrel.

The Department of Public shall schedule weekly collection of all curb side collected rubbish barrels. The Director of Public Works and the Board of Public may revise or alter said collection day from time to time or as required due to City holidays.

The practice of salvaging or removing materials from curb side barrels is prohibited.

Sec. 10-7. - Curbside Collected Recycling

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The board of public works may institute bi-weekly (once every two weeks) curbside collection of household recyclables materials from residential dwelling units. Only materials meeting the definition of “acceptable curbside collected recycling” can be disposed of and collected by the City.

Residential household recycling (for single through five (5) residential dwelling units per building) shall be sorted and packaged as follows:

- (a) Containers for household recycling must be city issued. The Department of Public Works will only collect recycling contained in a City issued containers.
- (b) All household recycling containers shall be placed curbside no sooner than 3:00 p.m. the day preceding the collection day nor later than 6:00 a.m. on the designated collection day. Containers shall not be placed within five (5) feet of all obstructions (parked vehicles, mail boxes, other solid waste containers, trees, bushes, etc.) Empty containers shall be removed from curbside no later than twelve (12) hours after collection.
- (c) Solid waste that does not meet the requirements of acceptable curb side collected recyclable materials will not be collected; All recyclable materials shall be placed in the container loose, bagging of recyclable materials is not allowed. The barrel lid must be closed.

All household curbside collected recyclable containers are subject to inspection by the collector and/or the city to determine proper separation and segregation of recyclable solid waste and other solid waste as set forth in this article.

City issued barrels damaged through by normal wear and tear shall be repaired or replaced at City expense by the Department of Public Works. The City provides each residential property one rubbish barrel per unit. Any additional barrels can be purchased by the resident at a fee approved by the Board of Public Works.

The Director or their designee, shall give written notice to the generator of the solid waste that a violation has occurred. If warranted, the Director shall issue a second notice of violation which shall advise the generator that subsequent violations shall be cause for penalties in accordance with this article, and that future recyclable solid waste from said dwelling unit shall not be collected at the sole option of the City.

All properties receiving curbside recycling collection service as of January 1, 2018 shall be classified as residential unless otherwise defined by the Board of Public Works. The Department of Public Works is authorized to suspend or cease curbside rubbish collection service to any property that does not meet the definition of residential property. Any property owner that converts residential property to commercial, industrial or condominiums shall notify the Department of Public Works within 30 days. Upon receipt of the said notice or an investigation performed the Department of Public Works that determine the property is classifies as a non-residential property, suspension or elimination of curb side rubbish collection services may result.

The Board of Public Works reserves the right to approve owner supplied barrels such as bear proof barrels, however the barrels must meet City collection requirements and be approved by the Director. The purchase and repair of said barrels shall be at the owner’s sole expense.

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The Department of Public shall schedule bi-weekly (once every two weeks) collection of all curb side collected recycling barrels. The Director of Public Works and the Board of Public Works may revise or alter said collection day from time to time or as required due to City holidays.

(Ord. of 6-12-01; Ord. of 7-13-10; Ord. of 6-12-12)

[Sec. 10-12. - Residential recyclable solid waste.

- (a) Any person who generates solid waste from residential property shall separate from the other solid waste items designated for recycling by the commissioner of energy and environmental protection.
- (b) Notwithstanding subsection (a), the state statute and/or board of public works requires the items defined in definitions section 10-2, recyclable solid waste shall be separated from other solid waste generated from residential property and recycled.
- (c) All residential recyclable solid waste shall be separated by the generator and placed in containers or packaged for collection at the curb or designated location for recyclable solid waste drop off.
- (d) Curbside pickup of recyclable materials. The board of public works may institute a curbside collection of recyclable materials from residential dwelling units. The types of materials designated as recyclable shall be as set forth in regulations established by the board of public works.

All recyclable materials shall be placed at curbside no sooner than 3:00 p.m. the day preceding the collection day nor later than 6:00 a.m. on the designated collection day.

- (e) The packaging and collection times of the following materials shall be as follows:
  - (1) Bulk metals (white goods) and household electronics will be collected after scheduling a special pick up with the public works department and payment of any fees.
  - (2) Brush, no larger than six (6) inches in diameter and four (4) feet long, shall be suitably tied in bundles light enough for one (1) person to lift. Brush will only be collected after scheduling a brush pick up with the public works department and payment of any fees.
  - (3) Leaves packaged in paper leaf bags approved by the board of public works will be picked up during spring and fall collection periods. Yard waste, grass clippings, and similar green leafy materials may be included with leaves during the spring and fall collection periods. Collection periods will be designated by the board of public works. The director of public works may extend the period of collection and advise the board of public works of such action.
  - (4) Residential yard waste may be collected by subscribing to a fee-paid collection service in approved city-owned containers and only when a valid paid sticker is displayed in the designated area. Yard waste can not be disposed in rubbish or recycling containers. See section 10-2, definitions (yard waste). Yard waste collection periods are established by the board of public works. The director of

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public works may extend the period of collection and advise the board of public works of such action.

- (5) Christmas trees will be collected curbside after removing tree stands, lights, ornaments, and tree bags during a collection schedule determined by the board of public works (currently the first two (2) weeks of the new year on the scheduled rubbish collection day). The director of public works may extend the period of collection and advise the board of public works of such action.
- (f) Disposal of other recyclable items: Residents of the city may bring other recyclable items to the transfer station at 685 Lake Avenue, permit required. See section 10-10. (Ord. of 6-12-01; Ord. of 6-12-12)]

### Sec. 10-[13]8. - Nonresidential recyclable solid waste.

- (a) Any person who generates solid waste from other than a residential property shall make provisions for the separation from other solid waste of the items designated for recycling by the Connecticut [c]Commissioner of [e]Energy and [e]Environmental [p]Protection and/or as set forth in regulations established by the [b]Board of [p]Public [w]Works.
- [(b) Notwithstanding subsection (a), the following items shall be separated from other solid waste and recycled: See section 10-2, definitions (recyclable solid waste).
- (c) Nonresidential recyclable solid waste shall be disposed of through private recycling collectors licensed by the City of Bristol under this article.

Generators from buildings containing more than five (5) dwelling units, condominiums, apartments, mobile home parks, commercial and industrial nonproduct related recyclable solid waste may elect to take their recyclables to the city transfer station.]

- [(d)b] Generators from nonprofit institutions may bring non-product related recyclable [(and nonrecyclable)] solid waste to the transfer station after disclosure of a nonprofit tax I.D. number and purchase of a [special] permit at a cost equal to the residential transfer station permit. [A permit sticker shall be supplied.] See sections 10-10 and 10-24. (Ord. of 6-12-01; Ord. of 6-12-12)

### Sec. 10-9. - Solid Waste Transfer Station.

A means shall be provided for residents and taxpayers to dispose of bulky waste items which includes, ceramic items such as sheet rock, roof shingles, tile, leaves, grass, yard waste, sand, rocks, brush, stumps, appliances, metal, etc. and other items/materials authorized by the Board of Public Works; at the solid waste transfer station.

In addition to any applicable permit fees, users shall pay to the City a user fee based on the weight of material disposed of at the transfer station. The weight of the material shall be calculated by the weight measured on the inbound and out bound scale upon entering and exiting the transfer station. Permit and user fees shall be established by the Board of Public Works. No user fee will be charged for disposal of “acceptable curbside recyclable materials”, however a permit is required to gain access to the transfer station.

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A list of acceptable material allowed to be disposed of at the transfer station shall be established by the Director of Public and shall be in accordance with State of Connecticut DEEP requirements.

The solid waste transfer station shall be available to residential and commercial permit holders only. Residential permits will be issued only to residents or taxpayers of the City. Commercial permits are available to insured businesses to dispose of solid waste generated in the City. Use of residential permits for commercial use will not be permitted. Disposal of material generated outside the City limits at the transfer station is not permitted.

- (a) All persons using the solid waste transfer station facility shall source separate materials brought thereto into the appropriate container or area set aside for that purpose.
- (b) Prior to disposing of any item or items at said transfer station, a permit/windshield sticker or other identifying tag shall be obtained from the Department of Public Works. Said permit fee shall be set in accordance with a fee schedule established from time to time by the Board of Public Works.
- (c) In addition to the permit fee each user of the transfer station shall be charged a user fee based on the weight of the material disposed of at the transfer station. The per pound fee shall be established by the Board of Public Works. The weight of the material that the user shall be charged shall be based on the difference calculated by the inbound and outbound scale. The Department of Public Works shall calibrate the scales on a yearly basis. Said calibration shall be made available to residents upon request.
- (d) The Department of Public Works may require each residential permit holder accessing the transfer station to provide proof of residency/property ownership or in the case of commercial, industrial and contractor businesses, prove that the materials being deposited at the transfer station were generated within City limits.
- (e) Each commercial, industrial and contractor business shall provide in addition to a permit fee a current certificate of insurance (auto liability insurance) in an amount specified by the Board of Finance, with the City of Bristol named as certificate holder.
- (f) Department of Public Works permits must be displayed in accordance with Department requirements in order to gain entry into the transfer station.
- (g) Replacement permits will be granted free of charge only if the non-expired permit is presented to the Department of Public Works. Otherwise, a new permit must be purchased. Lost or misplaced permit are subject to fees set by the Board of Public Works. If a previous permit has been suspended or revoked, the resident will not be reissued a permit for a time period as determined by the Director.
- (h) The hours of normal operation of the transfer station facility shall be set by the Board of Public Works. The Director of Public Works may make temporary adjustments of the operating hours of the station to address situational events such as storm clean-up, leaf collection, etc.
- (i) A vehicle may be classified as commercial if it has exterior business stenciling, is a dump truck, panel truck, box truck, ladder rack, or any vehicle or trailer with a storage bed larger than eight (8) feet long by six (6) feet wide. Commercial vehicles will be required to have commercial permits and pay commercial fees.

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- (j) Any resident of the City may bring separated recyclable material to the recycling station after purchase of a transfer station permit.
- (k) Brush, less than six (6) inches in diameter and four (4) feet in length, may be brought to the transfer station for chipping and disposal by the City.
- (l) All pressurizable tanks, including propane tanks, with valves removed shall be disposed at the transfer station as scrap metal. Only 20-pound gas grill tanks in good working order will be accepted with valves, which must contain a transport/storage plug.
- (m) The practice of salvaging or removing materials from the transfer station is prohibited. All items deposited at the transfer station become the property of the City of Bristol.

## Sec. 10-[9]10 – Special Curbside Collections – Seasonal.

The Board of Public Works may establish special curbside City wide collections for items such as leaf bags and Christmas trees. Said collections shall be seasonal and available to all residential properties.

(a) Leaf bag collection:

- i. The Department of Public shall provide curbside collection of leaf bags during the spring and fall of each year. The date and times shall be set by the Director of Public Works.
- ii. All leaf bags shall be brought to the curb. Leaves are only collected in brown, recyclable, paper leaf bags.
- iii. Leaf bags containing dirt, sand, rocks, sod or materials other than leaves will not be collected.
- iv. Loose leaf piles will not be collected.
- v. Leaf bag collection service shall be limited to residential properties only.
- vi. Yard waste, grass clippings, and similar green leafy materials may be included with leaves.

(b) Christmas Tree Collection:

- i. Each year after the New Year holiday the Department of Public Works shall collect Christmas trees for a period of approximately two weeks. Said time may be extended by the Director.
- ii. Residents shall place trees curbside by 6:00 am on the day of collection established by the Department of Public Works.
- iii. All trees shall be free of stands, lights, ornaments and tree bags removed.
- iv. Christmas tree collection shall be limited to residential properties only.

## Sec. 10-[10]11. – Special Curbside Collections – Scheduled.

The Department of Public Works shall provide residents an opportunity to schedule curbside collection of brush/branches and bulk solid waste.

(a) Brush/Branches Collection:

- i. Brush will only be collected after scheduling a brush pick up with the Public Works Department

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- ii. Branches must be less than six inches in diameter and cut to a maximum 4 foot length
  - iii. The total brush/branch pile cannot exceed 4 ft. x 4 ft. x 4 ft. and must be tied to secure bundles.
  - iv. Loose piles of brush and branches will not be collected by the Department of Public Works.
- (b) Bulk Solid Waste Collection/Pick Up
- i. One bulk pick up is available to each residential property (unit) per year. Fees associated with additional bulk pick up shall be established by the Board of Public Works. For the purposes of bulk pick up “per year” is define as a calendar year.
  - ii. The maximum size of a bulk pick up shall be 5 cubic yards (approximately 3 ft. by 3 ft. by 15 ft.)
  - iii. Only owners of residential properties are allowed to scheduled bulk pick ups.
  - iv. Acceptable bulk pick up items shall be established by the Director of Public works and the Board of Public Works. Unless otherwise approved by the Board of Public Works, the following items are not eligible and will not be picked up as part of a bulk pick up; chemicals, auto parts, porcelain fixtures (toilets, sinks), construction debris, sheet rock, shingles, ceramic tiles, yard waste, mirrors or glass. Metal item shall be placed in a separate pile segregated from the other bulk pick up items.

Sec. 10-[11]12. – Yard Waste Collection Service.

The Department of Public Works shall provide residential properties a subscription curbside collection service.

- (a) Residential yard waste may be collected by subscribing to a fee-paid collection service. Fees shall be approved by the Board of Public Works.
- (b) All yard waste shall be placed in a City supplied and owned barrels. The City reserves the right to enter onto private property to collect City owned barrels stored outside.
- (c) The Department of Public Works will only collect yard waste barrels when a valid paid sticker is displayed on the barrel in the designated area.
- (d) Yard waste cannot be disposed in rubbish or recycling containers.
- (e) Yard waste collection periods are established by the Board of Public Works.
- (f) The Director may extend the period of collection and advise the Board of Public Works of such action.

[Sec. 10-14. - Composting site.

The city may institute a compost site for leaves, grass clippings, and yard wastes. The operating details shall be as set forth in regulations established by the board of public works.

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(Ord. of 6-12-01)]

Sec. 10-1[5]3. - Prohibition of storage, disposal or use of fracking waste.

- (a) *Purpose.* The prohibition of oil and gas drilling and extraction wastes are hereby declared necessary for the protection of the health, property, safety and welfare of the residents of the City of Bristol pursuant to sections 7-148(c)(7)(H), 7-148(c)(4)(H); 7-148(c)(7)(H)(xi), 7-148(c)(8), and 7-148(c)(7)(H)(ii), Connecticut General Statutes, as amended.
- (b) *Definitions.* For the purposes of this section, the following terms, phrases, and words shall have the meanings given here, unless otherwise clearly indicated by the context:

*Application.* The physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the City of Bristol.

*Hydraulic fracturing.* The fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

*Natural gas extraction activities.* All geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.

*Natural gas waste.*

- (1) Any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- (2) Leachate from solid wastes associated with natural gas extraction activities;
- (3) Any waste that is generated as a result of or in association with the underground storage of natural gas;
- (4) Any waste that is generated as a result of or in association with liquid petroleum gas well storage operations; and
- (5) Any products or by products resulting from the treatment, processing, or modification of any of the above wastes (1)—(4);
- (6) For purposes of this ordinance natural gas waste does not include purposeful materials derived from the distillation or refinement of petroleum such as oil, asphalt or bitumen.

*Oil extraction activities.* All geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

*Oil waste.*

- (1) Any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;



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- (2) Leachate from solid wastes associated with oil extraction activities; and
- (3) Any products or by products resulting from the treatment, processing or modification of any of the above wastes (1)—(2).
- (4) For purposes of this ordinance oil waste does not include products derived from the distillation or refinement of petroleum such as oil, asphalt or bitumen.

*(c) Prohibitions.*

- (1) The application of natural gas waste or oil waste, whether or not such waste has received beneficial use determination or other approval for use by DEEP (Department of Energy and Environmental Protection) or any other regulatory body, on any road or real property located within the City for any purpose is prohibited.
- (2) The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the city is prohibited.
- (3) The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the city is prohibited.
- (4) The storage, disposal, sale, acquisition, transfer, handling, treatment, and/or processing of waste from natural gas or oil extraction is prohibited within the city.

*(d) [Inclusion.]* Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the city.

- (1) All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the city shall include a provision stating that no materials containing natural gas waste or oil waste shall be utilized in providing such a service.
- (2) All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the city shall include a provision stating that no materials containing natural gas waste or oil waste shall be provided to the city.

(3) The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and or maintained road or real property within the city and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the city: "We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the City of Bristol as a result of the submittal of this bid if selected. "Oil waste" and "natural gas waste" does not include products derived from the distillation or refinement of petroleum such as oil, asphalt or bitumen."

*(e) Penalties for offenses.* In response to a violation of this section, the city may require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the City of Bristol. The city may

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also impose fines in accordance with section 1-11 of this Code of Ordinances for any violation of this section and any other remedies allowable under the law.  
(Ord. of 10-10-17; Ord. of 4-10-18)

### Sec. 10-14. – Disposal of small animal carcasses.

No dead small animal shall be disposed of except as provided in this section. It may either:

(1) Be buried in a hole and covered with dirt to a depth of at least two (2) feet; or

(2) In a manner approved by the Director.

(Ord. of 6-12-01)

### Sec. 10-15. - Violations.

Each day any violation of this section is willfully continued after official notice from either the director of public works or the director of health to halt or correct such violation shall be deemed a separate offense and be penalized as such pursuant to ordinance section 1-11.

(Ord. of 6-12-01)

Cross reference – Animals and fowl, Ch. 4

Secs. 10-16—10-20. - Reserved.

## ARTICLE II. - LICENSING AND FEES

Sec. 10-21. - License/fee—Required; classifications.

No person shall engage in the business of collecting or disposing of refuse as a solid waste collector, recyclable solid waste collector, or generator within the city without first obtaining the appropriate license and paying the appropriate fee from the public works department for each vehicle to be used for such purpose. Any person operating as a solid waste collector within the city on or after January 1, 1986, or as a recyclable solid waste collector within the city on or after July 1, 1991, will be subject to the requirements and penalties provided in this chapter. Fees shall be set from time to time by the [b]Board after a public hearing. [and confirmed by the city council. Licenses shall be issued to private collectors under one (1) of the following classifications:

- (1) *Commercial-Type I*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Those individuals or corporations who collect and transport refuse within the city as a business enterprise. Vehicles delivering to the Bristol Resource Recovery Facility must meet the facility's requirements for minimum size or be at least a two-ton dump truck. The Bristol Resource Recovery Facility will bill the city based on tonnage delivered. Haulers to the Bristol Resource Recovery Facility must provide the city a letter of credit, bond or passbook from a bank, naming the City of Bristol as holder equivalent to at least two (2) months average billing. A blank passbook account card must be received for signature by the comptroller or their designee. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required.

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- (2) *Commercial-Type IIA*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Those individuals or corporations who produce refuse as a byproduct of their primary business function and who transport their refuse to the disposal area or facility. Vehicles delivering to the Bristol Resource Recovery Facility must meet the facilities' requirements for minimum size or be at least a two-ton dump truck. The Bristol Resource Recovery Facility will bill the city based on tonnage delivered. Haulers to the Bristol Resource Recovery Facility must provide the city a letter of credit, bond, or passbook from a bank, naming the City of Bristol as holder equivalent to at least two (2) months average billing. A blank passbook account card must be received for signature by the comptroller or his designee. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required.
- (3) *Commercial-Type IIB*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Those individuals or corporations who do not meet the requirements for disposal at the Bristol Resource Recovery Facility. This permit is for a business having burnable or non-burnable trash from their business. Vehicle must be smaller than a two-ton dump truck. Bulky waste and/or solid waste disposal fees are required. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required. The provided commercial sticker or tag must be applied to the vehicle in the designated area.
- (4) *Commercial-Type IIIA*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Those individuals or corporations who produce refuse by the maintenance and operation of multifamily residences and transport their refuse to the disposal area or facility. A multifamily residence shall be defined as a residence containing six (6) or more dwelling units. Vehicles delivering to Bristol Resource Recovery Facility must meet the facilities' requirements for minimum size or be at least a two-ton dump truck. The Bristol Resource Recovery Facility will bill the city based on tonnage delivered. Haulers to the Bristol Resource Recovery Facility must provide the city a letter of credit, bond, or passbook from a bank, naming the City of Bristol as holder equivalent to at least two (2) months average billing. A passbook account card must be received for signature by the comptroller or their designee. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required.
- (5) *Commercial-Type IIIB*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Residential complex having six (6) or more units but not meeting the requirements for disposal at the Bristol Resource Recovery Facility. Vehicle must be smaller than a two-ton dump truck. Bulky waste and/or solid waste disposal fees are required. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required. The board of public works may from time to time amend required dollar amounts.

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The provided commercial sticker or tag must be applied to the vehicle in the designated area.

- (6) *Recycling collector*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. Those individuals or corporations who collect, haul, transport, or dispose of recyclable solid waste in city limits as a business enterprise. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required.
- (7) *Generator*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council per vehicle for commercial or industrial facility, apartment building, mobile home park or condominiums that generate non-product related recyclable solid waste. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required. The provided generator sticker or tag must be applied to the vehicle in the designated area. See section 10-10, transfer station.
- (8) *Yard waste disposal permit*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council per company. All business and commercial entities bringing leaves, grass, clippings, brush, and wood chips to the transfer station. All yard waste shall only be collected within city limits. Each vehicle entering the transfer station must have it's own sticker/tag at a cost determined by the board of public works. Yard waste disposal fees shall be required set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. A certificate of insurance (auto liability insurance) in an amount specified by the board of finance, with the City of Bristol named as certificate holder, shall be required. The provided yard waste permit/window sticker must be applied to the vehicle in the designated area.
- (9) *Residential and special (nonprofit) solid waste disposal permit*: A sum set in accordance with a fee schedule developed from time to time by the board of public works and confirmed by the city council. See section 10-10.

(Ord. of 6-12-01; Ord. of 2-10-04; Ord. of 6-12-12)

Cross reference— Licenses and miscellaneous business regulations, Ch. 13. ]

Sec. 10-22. - Same—Registration of collectors.

Any person who intends to operate as a collector of recyclable solid waste or nonrecyclable solid waste in the city shall register in advance with the city in the manner prescribed by this article. Any person who operates as a collector without proper registration within the city thirty (30) days after the effective date of this article will be subject to the penalties provided in this article. Any person who operates a nonresidential property may register with the city as a generator in accordance with sections 10-21 and 10-23 [10-58]. (Ord. of 6-12-01)

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Sec. 10-23. - Same—Application forms; approval of [d]Director of [p]Public [w]Works.

Persons desiring to register as solid waste collectors must apply to the public works department on forms provided by that department. Those forms [shall] may require the registrant to furnish all information requested, including but not limited to:

- (1) The names of the business and whether it is a corporation, partnership, or sole proprietorship;
- (2) The name of all stockholders (if corporation not publicly held), directors, partners, officers or proprietors of the business;
- (3) A listing and description of the vehicles to be used for solid waste and/or recyclable solid waste hauling in the town;
- (4) The names and addresses of all customers presently served, if any, within the town;
- (5) The approximate tonnage of solid waste and/or recyclable solid waste expected to be collected each week;
- (6) The names of all other communities serviced by the registrant;
- (7) A certificate of insurance (auto liability insurance) in an amount as specified by the board of finance, with the City of Bristol named as [certificate holder] the additional insured, shall be required; and
- (8) If required by the Director, [A]an affidavit from each customer with whom the registrant has contracted, said affidavit to set forth that the customer has contracted with the registrant to pick up the customer's solid waste and/or recyclable solid waste and the daily or weekly quantity of said solid waste and/or recyclable solid waste.

(Ord. of 6-12-01; Ord. of 6-12-12)

Sec. 10-24. - Same—Issuance.

Upon receipt by the public works department of a properly completed and approved application [in duplicate for the license required by section 10-21 of this article], the [d]Director [of public works or his agent] shall issue a refuse license [of the appropriate classification] upon the payment of a fee established by the Board of Public Works. Said fees shall be set from time to time by the board after a public hearing [and confirmed by the city council. License fees shall not be prorated. The initial license fees shall be as indicated in section 10-21].

All commercial [type I, II, and III] licensees shall secure a permit for use from the City's designated solid waste disposal facilities. The licensee shall comply with and meet all rules and regulations of said facility. The license issued by the Department of Public Works shall permit the licensee to dispose of solid waste at the same cost charged to the City of Bristol. Payment by the licensee shall be made directly to the disposal facility. [of the Bristol Resource Recovery Facility and shall comply with and meet all rules and regulations of said facility. All licensees shall pay to the City of Bristol the total current per-ton tipping fee charge established by said facility.

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The procedure for the payment of tipping fees shall be as established by the city. Nonpayment may be cause for removal of registration at the Bristol Resource Recovery Facility, revocation of the permit, and the legal collection of fees. Commercial haulers shall deposit with the city in advance an amount in such form and amount as may be established by the city, but in no event shall the amount be less than at least two (2) months' billing for refuse deposited at said facility.]  
(Ord. of 6-12-01; Ord. of 6-12-12)

Sec. 10-25. - Same—Revocation.

[The director of public works shall revoke the license of any private collector of refuse for any violation of this chapter.] The Director of Public Works reserves the right to a revoke a license from a licensee for failure to comply with City requirements or the requirements of the disposal facility.  
(Ord. of 6-12-01)

Sec. 10-26. - Same—Expiration; renewal.

After January 1, 2002, licenses required by [section 10-21] this section shall expire on the thirty-first (31st) day of December following the date of issue. They may be renewed annually thereafter upon the payment of a like fee, unless revoked in accordance this ordinance [with the terms of section 10-24. Applications for renewal of license shall contain updated information required in section 10-22].  
(Ord. of 6-12-01)

Sec. 10-27. - Inspections of vehicle and equipment.

- (a) *Sanitary inspections before licensing.* The City reserves the right to inspect [No] vehicles listed on the application [shall be approved for the] license by the applicant [described in section 10-21 of this article, or a renewal thereof, by the director of public works until it has been inspected for sanitary requirements by the director of public works or their agent].
- (b) *Additional inspection.* In addition to the initial inspections before licensing, all vehicles and equipment used for the collection and transportation of refuse within the city shall be subject to spot inspection at any time by the [d]Director [of public works] or their agent or the [d]Director of [h]Health or their agent.  
(Ord. of 6-12-01; Ord. of 6-12-12)

Sec. 10-28. - Equipment requirements.

- (a) Ashes, combustible rubbish and dry noncombustible rubbish other than garbage may be transported in non-watertight vehicles when such vehicles are sufficiently covered to prevent the escape of ashes, dust and other material.
- (b) All vehicles used for transportation of solid waste except ashes, combustible rubbish and dry non-combustible rubbish must be equipped with covered watertight metal containers, unless the vehicle itself is of closed construction on the bottom, front, rear and sides.

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- (c) The interior body of closed construction vehicles shall have a watertight lining of metal on the entire bottom and on the front and sides, or the entire body shall be of metal, with a metal tailgate not less than eighteen (18) inches in height. All such vehicles shall be equipped with metal covers and/or loading doors constructed to prevent leakage, access of flies, or the scattering of contents. All covers, loading doors, and like openings on such vehicles and equipment shall be kept closed except when loading and unloading.  
(Ord. of 6-12-01)

Sec. 10-29. - Sanitary maintenance regulations.

All vehicles and equipment used for solid waste disposal shall be kept clean and sanitary at all times. From May first (1st) to November first (1st) of each year such vehicles shall be swept and washed out daily. During the rest of the year this care shall be given as needed. The [p]Public [w]Works [d]Director or his agent or the [d]Director of [h]Health or his agent may, at any or at all times, require the private collector to spray his vehicle or vehicles with an approved insecticide and/or deodorizing compound.  
(Ord. of 6-12-01)

Sec. 10-30. - Enforcement and penalty.

- (a) The [d]Director [of public works or his designee] shall mail written notice of the approval or denial of an application for registration as a collector or a generator to the applicant within sixty (60) days after submission of the application. Registration is effective only upon approval and issuance of the notice of approval.
- (b) The [d]Director [of public works] may refuse to grant registration to any applicant, or may suspend the registration of any registered collector or generator, if that person:
- (1) Has violated or does violate any provision of state statute pertaining to recyclable solid waste;
  - (2) Violates this [article] ordinance;
  - (3) Is not insurable in accordance with this article; or
  - (4) Is otherwise deemed unsuitable as a collector or generator for good cause shown.

A denial or suspension of registration may not exceed a period of one hundred eighty (180) days for any one (1) violation; provided, that repeated or willful violations of this chapter may result in permanent refusal or revocation of registration without right to reapply. The [d]Director [of public works] may refuse to grant registration to any applicant who is not insurable in accordance with this article or who is otherwise deemed to be unsuitable.

- (c) No denial, suspension or revocation notice is effective until the person adversely affected has been notified in writing of that decision and the reasons for it, and has been afforded a reasonable and prompt opportunity to appear at an informal hearing before the director of public works for the purpose of responding to those reasons.
- (d) Any person aggrieved by an initial denial, suspension or revocation of registration may appeal that decision to the [b]Board of [p]Public [w]Works by filing a notice of appeal with the [d]Director [of public works] within fifteen (15) days after either:

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- (1) Notice of the initial decision is mailed to that person; or
- (2) The informal hearing provided under subsection (c) of this section is held and the decision affirmed by the [d]Director or designee.

The [d]Director shall immediately notify the [b]Board of [p]Public [w]Works of any appeal.

- (e) A hearing shall be scheduled before the [b]Board of [p]Public [w]Works for a date not more than thirty (30) days after the notice of appeal is filed. The hearing may be postponed or continued to a later date not more than one (1) time, and the later date must be no more than two (2) weeks after the original date. Written notice of the hearing shall be given by the [d]Director [of public works] to the person making the appeal and to any person who requests notice of the hearing. The hearing may be at a regular or special meeting of the [b]Board of [p]Public [w]Works.
- (f) At that hearing, the person aggrieved shall be permitted to present evidence and cross-examine witnesses. No formal rules of evidence shall apply, but the [b]Board of [p]Public [w]Works may exclude irrelevant or duplicate evidence. The [b]Board of [p]Public [w]Works shall make its decision within forty-five (45) days of the date the notice of appeal is filed. That period may, but need not, be extended by any period of postponement which is requested for the convenience of the person bringing the appeal. The decision may:
  - (1) Uphold the decision denying, suspending or revoking the registration;
  - (2) Reverse the decision and order the registration granted or reinstated; or
  - (3) Order the registration granted or reinstated with modifications or conditions.

The decision of the [b]Board of [p]Public [w]Works shall be final.

- (g) Every person who violates any provision of this chapter shall be guilty of a violation, as defined in Section 53a-27(a), C.G.S. and shall be subject to a fine of ninety dollars (\$90.00) for each day that the violation continues. From time to time, the board of public works may modify fines as necessary.  
(Ord. of 6-12-01)

Sec. 10-31. - Prohibition on collection, transportation and disposal by unregistered collectors.

Beginning January 1, 1986, all unregistered solid waste collectors and all solid waste collectors whose registration has been suspended or revoked are prohibited from engaging in the business of collecting, hauling, transporting or disposing of solid waste or recyclable solid waste generated within the [c]City.  
(Ord. of 6-12-01)

Sec. 10-32. - Administration and enforcement.

- (a) The [d]Director [or designee] shall mail written notice of the approval or denial of an application for registration as a collector or a generator to the applicant within sixty (60) days after the submission of the completed application. Registration is effective only upon approval and issuance of the notice of approval.



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- (b) A registered collector shall update the information required [by subsection (a)] at least once each year at the time of registration renewal.
- (c) Once approved, the registration shall be effective until the following December 31, and, unless properly renewed, shall lapse thereon. Registration fees shall be set from time to time by the [b]Board after a public hearing [and confirmed by the city council]. Each vehicle used shall constitute one (1) registration. Registration fees shall not be prorated. [For specific fees see section 10-21, License/fee—Required; classifications.]  
(Ord. of 6-12-01; Ord. of 6-12-12)

[Sec. 10-33. - Scavenging prohibited.

- (a) It shall be a violation of this article for any person to scavenge recyclable or any solid waste for pecuniary gain. Scavenging shall include collecting, recovering, hauling, storing or disposing of recyclable or any solid waste other than as authorized by this article.
- (b) Each occurrence of scavenging in violation of this article shall constitute a separate offense.
- (c) The board of public works may establish a swap area at the transfer station where people using the transfer station could leave items that may have some value or reuse for others and/or pickup items for reuse.  
(Ord. of 6-12-01)]

Sec. 10-33. - Salvaging, scavenging.

No salvaging or scavenging shall be allowed at any solid waste disposal area or facility unless authorized by the board of public works.  
(Ord. of 6-12-01)

Sec. 10-34. - Dangerous materials.

There shall be no disposal at any solid waste disposal area or facility of explosive or dangerously flammable materials such as gunpowder, dynamite, cartridges, shells, gasoline, naphtha, benzene, ether, cleaning fluids or other explosive or similarly dangerous substances, including radioactive wastes, biological wastes, drugs and poisons.  
(Ord. of 6-12-01)

Secs. 10-3[4]5—10-40. - Reserved.

[ARTICLE III. - DISPOSAL AREAS AND FACILITIES<sup>[2]</sup>

Footnotes:

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Cross reference— Bulk waste disposal site, § 10-9.

Sec. 10-41. - Authority to prescribe location for disposal and operation regulations.

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The operation of the refuse disposal areas and facilities shall be prescribed by the director of public works and the director of health of the Bristol-Burlington Health District in accordance with rules and regulations of the State of Connecticut Department of Environmental Protection.

Nothing herein shall prohibit the director of public works from excluding materials dumped in the disposal area which are found to be hazardous, illegal or excessive in volume. (Ord. of 6-12-01)

Sec. 10-42. - Compliance with city employees' directions required.

Private collectors and other users shall adhere to the direction of the city employee who may be in charge of each of the solid waste disposal areas or facilities. (Ord. of 6-12-01)

Sec. 10-43. - Hours of delivery.

Deliveries of refuse to the solid waste disposal areas and facilities may be made only on such days and at such times as are prescribed by the director of public works. Such times and days are to be conspicuously posted in public view at each disposal area or facility. (Ord. of 6-12-01)

Sec. 10-44. - Private deliveries.

Any user may deliver refuse to a disposal area or facility subject to the regulations prescribed in section 10-21, of this Code of Ordinances. (Ord. of 6-12-01; Ord. of 6-12-12)

Sec. 10-45. - Salvaging, scavenging.

No salvaging or scavenging shall be allowed at any solid waste disposal area or facility unless authorized by the board of public works. (Ord. of 6-12-01)

Sec. 10-46. - Out-of-city solid waste.

Except for disposal at a disposal area as part of, and pursuant to, the Bristol Resource Recovery Project, the importation of solid waste from outside the city limits to any point within the city limits is expressly forbidden, and the depositing of any solid waste (unless clean fill meeting all zoning requirements upon land in any part of the city is hereby declared to be a public nuisance and is prohibited. (Ord. of 6-12-01)

Sec. 10-47. - Dangerous materials.

There shall be no disposal at any solid waste disposal area or facility of explosive or dangerously flammable materials such as gunpowder, dynamite, cartridges, shells, gasoline, naphtha, benzene, ether, cleaning fluids or other explosive or similarly dangerous substances, including radioactive wastes, biological wastes, drugs and poisons. (Ord. of 6-12-01)]

### **26. PUBLIC HEARING SCHEDULED FOR APRIL 6, 2021 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 5-19 PERTAINING TO BUILDING FEES.**

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To authorize a Public Hearing on

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Tuesday, April 6, 2021 at 5:20 p.m. in the First Floor Meeting Room, City Hall, 111 North Main Street, Bristol, Connecticut on proposed amendments to the Bristol Code of Ordinances Sec. 5-19 pertaining to Building Fees and to waive the reading of the proposed amendments, but to include them as part of the minutes. The ordinance reads as follows:

Underscored text is proposed to be added. [Bracketed] text is proposed for deletion.

Sec. 5-19. - Fees.

- (a) *Generally.* No permit to begin work for new construction, alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this section shall have been paid to the building official or other authorized municipal agency, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid. The City of Bristol, the Bristol Board of Education, and the Bristol Water Department shall not be required to pay any fees under this section provided that the City of Bristol, the Bristol Board of Education or the Bristol Water Department has secured third-party review of plans by a licensed engineer or architect. This exemption does not apply to the State-mandated education fee required on each building permit application pursuant to C.G.S. § 29-263. Notwithstanding the foregoing, where work to be performed by or on behalf of the City of Bristol, the Bristol Board of Education, or the Bristol Water Department is funded by revenue bonds or grant funds and permit fees are allowable as a reimbursable expense, then such applicable permit fees shall be charged.
- (b) *Special fees.* The payment of the fee for the construction, repair, alteration, removal or demolition and for all work done in conjunction with or concurrent with work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are described further in this section or by ordinance in regards to plumbing permits, heating permits, electrical permits, sewer excavation or street opening permits, erection of signs and display structures, marquees or other appurtenant structures, certificates of use and occupancy or other privileges or requirements, both within and without the jurisdiction of the department of building inspection. All of the following fee charges to include the State of Connecticut Education fee amount which will be charged in addition to the city fees.
- (c) *Square foot area.* For the determination of any permit fee based on square foot area, such area shall be computed taking the extreme measurements from outside walls and including garages, breezeways and the like.
- (d) *Right of inspector to ask subcontractors for actual cost.* It will be the right of the inspector to ask for an affidavit as to the actual cost of the job and the subcontractor shall be responsible for additional permit fees for the difference between the estimated and actual costs.
- (e) *Reserved.*
- (f) *Fees for new construction.* The fee for a building permit for all new construction excluding all subcontracts such as plumbing, heating, electrical, etc. on residential building including covered decks and covered stairs, shall be at the rate of eighty cents

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(\$0.80) per square foot of area. On commercial or industrial building, said fee shall be at the rate of one dollar (\$1.00) per square foot of area. Area will be computed by taking the ground floor times the number of stories. The fee for accessory buildings, garages, open breezeways, decks, greenhouses, sheds, rigid frame or steel skeletal buildings for truck, heavy equipment or all-purpose storage, shall be at the rate of forty cents (\$0.40) per square foot of area. The minimum permit fee shall be twenty-five dollars (\$25.00). There will be no maximum fee. Fees may be waived in accordance with section (a), above. Permits are required for all swimming pools, for which the minimum permit fee shall be twenty-five dollars (\$25.00). A twenty-five dollar (\$25.00) fee shall be charged for all open decks under two hundred (200) square feet of area, which are not more than thirty (30) inches above grade at any point and are not attached to the dwelling or main structure. Open decks shall be anchored to resist wind induced uplift and dislocation.

- (g) *Fees for subcontractor permits.* Fees for permits for licenses issued by the state occupational licensing boards will be based on the estimated costs of the proposed work as follows:
- (1) Estimated cost up to \$1,000.00: \$25.00 permit fee.
  - (2) For each additional \$1,000.00 of estimated cost or fraction thereof, add \$25.00 to permit fee.
- (h) *Alteration and moving of buildings.* The fee for a building permit for alterations to building or structures, or to move a building or structure from one lot to another or to a new location shall be based on the estimated cost of foundation and all work necessary to place the building or structure in its completed condition at its new location as follows:
- (1) Estimated cost up to \$1,000.00: \$25.00 permit fee.
  - (2) For each additional \$1,000.00 of estimated cost or fraction thereof, add \$25.00 to permit fee.
- (i) *Demolition.* The fee for a permit for demolition of a building shall be based on estimated cost in accordance with the schedule (g) of this section.
- (j) *Signs.* Fees for signs for which a permit is required by the state building code shall be based on estimated cost in accordance with the schedule in subsection (g) of this section.
- (k) *Certificates of occupancy.* The fee for a certificate of occupancy of a building shall be:
- (1) Certificates of occupancy:
    - Residential .....\$25.00
    - Commercial, industrial .....\$50.00
    - Temporary .....\$100.00
  - (2) Reinspection, for first, second and third reinspection .....\$35.00
  - (3) Reinspection, after third reinspection .....\$50.00
- (l) *Certificates of approval.* The fee for certificates of approval shall be:
- Residential .... \$25.00

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Commercial, industrial ..\$50.00

(m) *Zoning permit fee* ..\$25.00

(n) *Fences*. The fee for fences erected on any property in Bristol shall be based upon estimated cost in accordance with the schedule (g) of this section plus the zoning permit fee.

(Code 1960, § 33-5; Ord. of 5-2-72; Ord. of 10-3-78; Ord. of 3-10-86; Ord. of 3-9-92; Ord. of 5-9-00; Ord. of 4-12-05; Ord. of 7-10-07; Ord. of 7-9-13; Ord. of 11-12-14; Ord. of 4-12-16; Amend. eff. 11-29-19)

**27. MAYOR OR ACTING MAYOR AUTHORIZED TO EXECUTE AMENDMENT TO PURCHASE & SALE AGREEMENT FOR LOT #2 SOUTHEAST BRISTOL BUSINESS PARK BETWEEN CITY OF BRISTOL AND BROWN HOLDINGS, LLC.**

Communication from the Assistant Corporation Counsel Conlin regarding an Amendment to the Purchase & Sale Agreement for Lot #2 Southeast Bristol Business Park.

On motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute an Amendment to the Purchase & Sale Agreement for Lot #2 Southeast Bristol Business Park between the City of Bristol and Brown Holdings, LLC.

**28. MAYOR OR ACTING MAYOR AUTHORIZED TO EXECUTE LETTER OF INTENT WITH SE MIDDLE LLC FOR SALE OF LOTS 8 AND 9 IN SOUTHEAST BRISTOL BUSINESS PARK TO CONSTRUCT UP TO 3 INDUSTRIAL/DISTRIBUTION BUILDINGS.**

Communication from the Economic and Community Development Department Executive Director regarding a Letter of Intent with SE Middle LLC for the sale of Lots 8 and 9.

On motion of Council Member Fortier and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to execute a Letter of Intent with SE Middle LLC, or its assigns for the sale of Lots 8 and 9 in the Southeast Bristol Business Park to construct up to 3 industrial/distribution buildings of up to 28,000 sq. ft. in total, subject to the approval and review of the Corporation Counsel.

**29. RESIGNATION.**

The following resignation was presented:

*Thomas LaPorte, Board of Library Directors.*

On motion of Council Member Hahn and seconded, it was unanimously voted: To place the resignation on file and send a letter of thanks.

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**30. APPOINTMENTS.**

The following appointments were presented:

ACTING MAYOR

David Preleski – term to June, 2021.

Mayor’s Appointment – No confirming motion required.

CITY ARTS & CULTURE COMMISSION

April Dews – Appointment – term to April, 2021.

Replaced William Stortz.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

COMMISSION ON AGING

Christine Leigh – Reappointment – term to March, 2024.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

George Irving – Reappointment – term to March, 2024.

Confirming motion by Council Member Preleski.

Motion passed in voice vote.

CITY CEMETERY COMMISSION

Thomas LaPorte – Reappointment – term to March, 2024.

Confirmation motion by Council Member Fortier.

Motion passed in voice vote.

BOARD OF ETHICS

Lisa Casey – Reappointment – term to March, 2024.

Appointed by Mayor Zoppo-Sassu.

Byron Pierce – Reappointment – term to March, 2024.

Appointed by Council Member Hahn.

Kenneth Zetarski – Reappointment – term to March, 2024.

Appointed by Council Member Preleski.

Atty. Roger E. Chiasson, II – Reappointment – term to March, 2024.

Appointed by Council Member Member Fortier.

MAYOR’S TASK FORCE ON AIDS

Judy Gough representing Chrysalis Center – no term.

Mayor’s Appointment – No confirming motion required.

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**BOARD OF LIBRARY DIRECTORS**

Eric Frenette – Appointment – term to January, 2024.

Replaced Thomas LaPorte.

Confirmation motion by Council Member Fortier.

Motion passed in voice vote.

**YOUTH COMMISSION**

Kamryn J. McLaughlin – Appointment as Citizen Member – term to June, 2022.

Replaced Tanya Ledesma.

Confirmation motion by Council Member Barney.

Motion passed in voice vote.

Ramon Peters – Reappointment as Under 21 Years of Age Member – term to March, 2024.

Confirmation motion by Council Member Barney.

Motion passed in voice vote.

Makayla Cervantes - Appointment as Under 21 Years of Age Member - term to March, 2024.

Replaced Noah Taylor.

Confirmation motion by Council Member Barney.

Motion passed in voice vote.

**BRISTOL HISTORIC DISTRICT COMMISSION**

Bernadette DuTremble – Appointment as alternate member – term to January, 2025.

Replaced Camerin Crowal.

Confirmation motion by Council Member Barney.

Motion passed in voice vote.

**BOARD OF POLICE COMMISSIONERS.**

Gloria Sapp Smith – Appointment – term to December, 2021.

Replaced James Bernier.

Confirmation motion by Council Member Barney.

Motion passed in voice vote.

**31. SCHOOL READINESS CONTINUATION GRANT APPLICATION PROGRAM FROM OFFICE OF EARLY CHILDHOOD FOR PERIOD OF JULY 1, 2021 - JUNE 30, 2022, ADOPTED.**

Communication presented from the School Readiness Grant Manager regarding the School Readiness Continuation Grant Application Program from the Office of Early Childhood for the period of July 1, 2021 - June 30, 2022.

Council Member Hahn moved and it was seconded: That the following Resolution be adopted –

**BE IT HEREBY RESOLVED** by the City Council of the City of Bristol, Connecticut, that the Mayor Ellen Zoppo-Sassu, or Acting Mayor, is hereby authorized to execute any and all documents relating to the application/funding/grant for the School Readiness Continuation Grant Application Program from the Office of Early

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Childhood for the period of July 1, 2021 - June 30, 2022 (3<sup>rd</sup> year of grant), including but not limited to any amendments to said application and any fiscal funding/grant documents and any and all agreements and any amendments thereto with local service providers to implement grant.

A roll call vote was taken.

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney		
“ ” Fortier		
“ ” Hahn		
“ ” Kelley		
“ ” Preleski		
“ ” Rosado		
Mayor Zoppo-Sassu		

RESOLUTION ADOPTED: *YES – 7; NO – 0; ABSTAIN – 0.*

**32. MAYOR OR ACTING MAYOR AUTHORIZED TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH CMAQ (CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT) GRANT TO STATE OF CONNECTICUT TO DESIGN/CONSTRUCT NEW TRAFFIC SIGNALS AT SIX LOCATIONS.**

Communication from the Public Works Director regarding the CMAQ (Congestion Mitigation and Air Quality Improvement) grant to the State of Connecticut in the amount of \$3,370,500 to design and construct new traffic signals at six locations.

On motion of Council Member Fortier and seconded, it was unanimously voted: To authorize the Mayor or Acting Mayor to sign any and all documents associated with the CMAQ (Congestion Mitigation and Air Quality Improvement) grant to the State of Connecticut in the amount of \$3,370,500 to design and construct new traffic signals at the following locations:

1. North Main Street at Center Street
2. South Street/Main Street at George Street
3. Route 72 (School Street) at Main Street/Memorial Boulevard
4. Route 72 (Riverside Avenue) at Main Street
5. North Main Street at Riverside Avenue
6. Route 72 (School Street) at Church Street and North Main Street

**33. CONTRACT FOR COMPREHENSIVE REWRITE OF ZONING REGULATIONS TO FITZGERALD & HALLIDAY, INC. FOR \$130,000, APPROVED.**

Communication from the Purchasing Agent regarding the Contract for a Comprehensive Rewrite of Zoning Regulations to Fitzgerald & Halliday, Inc. in the amount of \$130,000.



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On motion of Council Member Fortier and seconded, it was unanimously voted: To award Contract 2P21-029 Comprehensive Rewrite of Zoning Regulations to Fitzgerald & Halliday, Inc. in the amount of \$130,000 and to authorize the Mayor or Acting Mayor to execute any and all documents necessary to effect said Contract.

**34. CHANGE ORDERS TO D'AMATO DOWNES, A JOINT VENTURE TOTALING \$24,204.59 FOR MEMORIAL BOULEVARD INTRADISTRICT ARTS MAGNET SCHOOL, APPROVED.**

Recommendation from the Memorial Boulevard Intradistrict Arts Magnet School Building Committee regarding change orders to D'Amato Downes.

On motion of Council Member Hahn and seconded, it was unanimously voted: To approve change orders to D'Amato Downes, a Joint Venture totaling \$24,204.59 for the Memorial Boulevard Intradistrict Arts Magnet School and to authorize the Mayor or Acting Mayor to execute any documents necessary.

**35. EXECUTIVE SESSIONS TO DISCUSS MATTERS OF MELVYN DEKOW VS. CITY OF BRISTOL, WCC#601019315; BRENDAN MULVEY VS. CITY OF BRISTOL, WCC#910459920 AND BRENDAN MULVEY VS. CITY OF BRISTOL, WCC#891021161; AND WILLIAM LEONE VS. CITY OF BRISTOL, WCC#601018216, WILLIAM LEONE VS. CITY OF BRISTOL, WCC#000155318, WILLIAM LEONE VS. CITY OF BRISTOL, WCC#601042713, AND WILLIAM LEONE VS. CITY OF BRISTOL WCC#601086238.**

At 8:30 p.m. on motion of Council Member Hahn and seconded, it was unanimously voted: To convene into Executive Sessions to discuss the matters of Melvyn DeKow vs. City of Bristol, WCC#601019315; Brendan Mulvey vs. City of Bristol, WCC#910459920 and Brendan Mulvey vs. City of Bristol, WCC#891021161; and William Leone vs. City of Bristol, WCC#601018216, William Leone vs. City of Bristol, WCC#000155318, William Leone vs. City of Bristol, WCC#601042713, and William Leone vs. City of Bristol WCC#601086238.

Present to discuss the matter of Melvyn DeKow vs. City of Bristol, WCC#601019315: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Steeg.

Present to discuss the matters of Brendan Mulvey vs. City of Bristol, WCC#910459920 and Brendan Mulvey vs. City of Bristol, WCC#891021161: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Steeg; and Attorney Erik Bartlett by telephone.

Present to discuss the matters of William Leone vs. City of Bristol, WCC#601018216, William Leone vs. City of Bristol, WCC#000155318, William Leone vs.

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City of Bristol, WCC#601042713, and William Leone vs. City of Bristol WCC#601086238: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, Preleski, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Steeg; and Attorney Erik Bartlett by telephone.

Discussion was held. No votes were taken.

At 9:10 p.m., on motion of Council Member Hahn and seconded, it was unanimously voted: To reconvene into Public Session.

**36. FULL AND FINAL SETTLEMENT IN MATTERS OF BRENDAN MULVEY VS. CITY OF BRISTOL, WCC#910459920 AND BRENDAN MULVEY VS. CITY OF BRISTOL, WCC#891021161 FOR \$62,500, APPROVED.**

On motion of Council Member Kelley and seconded, it was unanimously voted: That the City of Bristol enter into a full and final settlement in the matters of Brendan Mulvey vs. City of Bristol for Worker's Compensation claims WCC#910459920 and WCC#891021161 and any and all other potential Worker's Compensation claims for the total amount of \$62,500. It was also voted to authorize the Mayor or Acting Mayor, and Corporation Counsel or Assistant Corporation Counsel to execute the full and final settlement.

**37. ADJOURNMENT.**

At 9:12 p.m., on motion of Council Member Barney and seconded, it was voted: To adjourn.

*(Council Member Kelley voted "No" on this item.)*

**ATTEST:** \_\_\_\_\_

**Therese Pac**  
**Town & City Clerk**