



Building Permits

P12-Sign Tee Box
Deck
Special Permits

2000

2016

Mrs. V. Affidavit
Thank you!

AG/APA/FBI

Invoices

EBFD Lawsuit

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§ 11-1 BOARD OF FIRE COMMISSIONERS.

§ 11-1.1 Creation.

[Ord. 1/27/72 § 1]

There is hereby established in the Town of Brooklyn a Board of Fire Commissioners which shall have the powers and authority set forth in Section 7-301 of the General Statutes of the State of Connecticut (Revision of 1958), as amended, and shall supervise and assist in the management of the three existing volunteer fire companies in the Town.



Town of
Brooklyn
fire ordinance

§ 11-1.2 Members; Terms.

[Ord. 1/27/72 § 2; Ord. No. 91-3 § 1; Ord. No. 97-1 § 1]

The Board of Fire Commissioners shall consist of seven members consisting of the following:

- a. The First Selectman;
- b. One member of the Board of Finance, to be appointed by the Board and to serve for a term of one year;
- c. Two members selected by the Board of Selectmen, one each from a list of three names each submitted to the Board by each of the two existing volunteer Fire Companies, and who shall serve for terms of one year;

Three citizens appointed by the Board of Selectmen, who are not members past or present of any Brooklyn Fire Company, and who shall serve for terms of three years.
- d. All members shall be sworn and serve until their successors have been appointed and qualified, may be reappointed, and shall receive no compensation for their services, but shall be reimbursed for their necessary expenses incurred in the performance of their official duties. Vacancies created by resignation or inability to serve shall be filled by a replacement for the unexpired term to be chosen in the same manner as was the member who created the vacancy by resignation or inability to serve.

§ 11-1.3 Organization and Duties.

[Ord. 1/27/72 § 11]

The Board shall elect from its members a Chairman and such other officers as it shall deem necessary. The Board shall make a continuing study of the fire protection needs of the Town and from time to time make long or short term recommendations to the Town based on such study. In addition to the powers provided in Section 7-301 of the Connecticut General Statutes, as amended, the Board of Fire Commissioners may enter into agreements with any volunteer Fire Company or organized Fire District within the Town for the fire protection thereof on such conditions as to financial and/or equipment assistance and the observance of such regulations as they deem in the best interest of the Town.

§ 11-1.4 Financing.

[Ord. 1/27/72 § 111]

The Board shall be a budgeted agency and shall submit its account and budget annually to the Board of Finance. The Board shall submit an annual report to the Town to become a part of the Annual Report of the Town of Brooklyn. Nothing herein shall prevent the Town or an incorporated Fire District from appropriating funds to a volunteer Fire Company for services rendered or to be rendered within the confines of the Town or Fire District provided the Town or fire district shall deem it in the public interest to do so.

§ 11-2 VEHICLES IN DESIGNATED FIRE ZONES OR NO PARKING ZONES PROHIBITED.

[Ord. No. 06-01 § 1]

Pursuant to Section 7-148 of the Connecticut General Statutes, no person shall park a vehicle or remain stationary in an area that is clearly marked "NO PARKING" or "FIRE ZONE" by appropriate devices or markers or by lines upon the surface of ground, indicating parking is prohibited, or for a period of time that is longer than allowed by legally installed signs.

Nothing in this section shall be construed to apply to emergency vehicles or maintenance vehicles in the normal course of business.

§ 11-3 RAPID ACCESS SYSTEM REQUIREMENTS.

§ 11-3.1 Purpose.

[Ord. No. 97-6; Ord. 9/12/2001]

In order to provide rapid access by Brooklyn Fire Departments to unoccupied or locked structures that pose life or property damage hazards while minimizing delay or damage resulting from forcible entry, the following regulation is adopted by the Brooklyn Board of Selectmen and the Brooklyn Board of Fire Commissioners on September 12, 2001.

§ 11-3.2 Regulations.

[Ord. 9/12/2001]

- a. After the effective date this section, new commercial buildings, any new structure required by the Connecticut State Building Code or the Connecticut Fire Safety Code to be equipped with an automatic sprinkler system or an automatic fire alarm system, any new building equipped with an elevator, any new building in which hazardous materials of more than 25 gallons or 200 pounds are stored, any new nonresidential building in which the Brooklyn Fire Marshal determines that rapid access is necessary for life safety or fire fighting purposes, any property newly equipped with an automatic gate used as a means of controlling access to or from vehicle parking areas, private streets, driveways, or parking garages, and new multiple dwellings containing more than two residence units shall be equipped with a Rapid Access System.
- b. Locked key vaults shall be mounted in a location specified by the Brooklyn Fire Marshal.
- c. A Rapid Access System consists of a heavy duty key vault, the specifications of which shall be approved by the Brooklyn Fire Marshal. Locked key vaults shall contain the following, unless excepted in writing by the Brooklyn Fire Marshal:
 1. Keys or other devices that operate gates that control access to the property;
 2. Keys or other devices that control locks at points of ingress to the building;
 3. Keys or other devices that allow access to locked mechanical, utility, electrical, boiler or interior storage rooms;
 4. Keys to elevator controls, fire alarm panels and fire protection systems;
 5. Keys to residential units in multiple dwellings subject to the provisions of this section;
 6. Key cards, integrated circuit "buttons" or other devices that operate exterior or interior locks controlled by card system or other non-keyed locking systems;
 7. Materials Safety Data Sheets for hazardous materials stored within the building;
 8. Keys to other areas or other materials required by the Brooklyn Fire Marshal to comply with the intent of this section.
- d. Contents of the vault shall be clearly labeled. If more than one vault is provided the contents shall be distributed among the vaults as directed by the Brooklyn Fire Marshal.
- e. Vaults and required contents shall be provided at the expense of the building owner. Building owners are responsible for notification of the Brooklyn Fire Marshal in the event that locks or occupancy changes.
- f. No Certificate of Occupancy shall be issued for a new or renovated commercial or industrial structure unless there shall be installed thereon a rapid access system approved by the Brooklyn Fire Marshal as to specification and location thereof. Key to such rapid access system shall be maintained exclusively by either the East Brooklyn and or Mortlake Fire Departments.
- g. Upon installation of such rapid access system, the building owner shall, at his or her expense, maintain all components thereof and make repairs or replacements thereof within seven days of receipt of written notice to repair or replace from the Brooklyn Fire Marshal.
- h. Structures existing on the effective date hereof that would, if new, fall under the provisions of this section shall be provided with secure key vaults upon the earliest date of any of the following conditions:
 1. Completion of alterations or repairs made in any 36 month period costing in excess of 20% of the assessed valuation of the structure on the effective date of this section;
 2. A change in ownership of the property;
 3. A change in occupancy causing the structure; if new, to fall under the provisions of paragraph a of subsection 11-3.2;
 4. Installation of a complete or partial sprinkler system, automatic fire alarm system, elevator or parking gate;
 5. An increase in the floor area of the structure;
 6. Five years from the effective date of this section.
- i. The Brooklyn Board of Fire Commissioners shall adopt within 60 days of the effective date of this section, and shall modify from time to time as they deem reasonable and necessary, a policy for administration of the provisions hereof including:

1. Procedures for obtaining approved key vaults;
 2. Policies and procedures necessary to reasonably assure the security of keys that operate key vaults;
 3. A requirement that the Brooklyn Fire Marshal publish a list of existing properties affected by this section within 90 days of the effective date of this section.
- j. Any owner violating the provisions of this section shall be fined \$25.00 for each offense. Each day of violation shall be considered a separate offense. Appeals shall be made within 30 days after the effect of this section upon any person or entity. Appeals shall be made in writing by certified mail to the Brooklyn Fire Commissioners.
- k. Temporary Key Vaults may be authorized by the Fire Marshal as he may unilaterally determine in order to protect the health, safety, life or property of people affected by this section.
- l. Single-family/two-family owners are exempt from this section but can apply to the Fire Marshal if they want to be part of the system.
- m. This section shall become effective pursuant to Connecticut General Statutes 7-157 (Revision of 1958).

§ 11-4 EQUIPMENT AND BUILDINGS USED FOR THE BULK STORAGE OF FLAMMABLE LIQUIDS FOR RESALE.

§ 11-4.1 Application to Selectmen for Permit.

[Ord. 1/23/63 § 1]

No person shall erect or proceed to erect within the limits of the Town of Brooklyn any equipment and buildings to be used for the bulk storage of flammable liquids for resale, nor shall any alterations be made to any equipment and building now existing within the Town of Brooklyn, unless an application is first filed for approval of such location and erection or removal or alteration, with the Selectmen of the Town. Such application shall be in writing, and shall state the location of the proposed equipment or buildings to be erected, removed or altered. Furthermore the Board of Selectmen may request the location of buildings immediately adjoining or adjacent thereto, the materials to be used in the erection, removal or alteration and the use for which the equipment and buildings is to be put, a plot plan which will show the boundaries of the applicant's property, the location of the equipment and buildings thereon, and the location of adjacent buildings.

§ 11-4.2 Fee.

[Ord. 1/23/63 § 2]

Each application shall be accompanied by a fee of \$25.00 to be paid to the Town of Brooklyn.

§ 11-4.3 Duties of Selectmen.

[Ord. 1/23/63 § 3]

Upon the receipt of an application, the Selectmen shall examine the premises involved and the adjacent properties and buildings and, if in their opinion it is necessary, hold a public hearing on the application. After a public hearing has been held, a rehearing may be held in the sole discretion of the Selectmen. The Selectmen in rendering a decision on an application shall take into account the real conditions as to the character and use of adjoining buildings or property in the vicinity, the number of persons residing or working in the vicinity, traffic conditions or the like, the creation of hazards from fire or other means that would menace the public security, health or morals, and the reactions and opinions of the adjoining property owners and residents in the area and in the Town of Brooklyn to the use of the property involved for the bulk storage of flammable liquids for resale. The Selectmen shall render their decision upon such application within 10 days from the date of the hearing and if the application is granted, a written permit shall be issued to the applicant.

§ 11-4.4 Notice of Public Hearings.

[Ord. 1/23/63 § 4]

Notice of public hearing on an application shall be given by posting upon the sign posts in the Town a printed or written notice signed by the Selectmen or a majority of them, and by publishing a like notice in a newspaper having a circulation in the Town of Brooklyn. Such posting and such publication to be at least five days previous to holding the hearing, including the day that notice is given, and any Sunday and any legal holiday which may intervene between such posting and publication and the day of holding such hearing, but not including the day of holding such hearing.

§ 11-4.5 Penalty for Violation.

[Ord. 1/23/63 § 5]

Any person failing to secure a permit required by this section or who shall violate any provisions thereof, may be fined not more than \$100.00.

§ 11-5 FEES FOR PERMITS AND APPROVALS ISSUED BY THE FIRE MARSHAL.

[Ord. 5/3/10; Ord. 2/17/11]

The purpose of this section is to establish a schedule of fees for permits and plan approvals issued by the Fire Marshal as permitted under the Connecticut General Statutes.

FEE SCHEDULE

- a. Review of Construction Documents. The fee for the review of construction documents for new construction, additions or change of use shall be \$50.00 per 1,000 square feet or portion thereof, not to exceed \$2,500.00, payable upon submission of the plans.

At the sole discretion of the Fire Marshal, plans for buildings over 50,000 square feet, buildings which by their proposed use or occupancy present a special risk or hazard and buildings with unusually complex designs may be required to undergo an independent third party plan review. A competent consultant or agency, subject to the reasonable approval of the Fire Marshal, shall conduct the independent plan review and shall furnish the Fire Marshal with a written report of its findings and recommendations prior to the Fire Marshal's review and approval of any such plan. The applicant shall pay all costs associated with the independent plan review.

- b. Fees for Required Periodic Inspections.

Blasting Permit	\$30.00
Hazmat Annual Truck Inspection — First Truck	\$35.00
Each additional truck	\$10.00
Liquor Permit — New	\$75.00
Liquor Permit — Renewal	\$50.00
Group Home Annual Inspection	\$50.00
Day Care Facility	\$35.00
Health Care Facility — New	\$200.00
Health Care Facility — Renewal	\$100.00
Smoke Detector	\$35.00
Restaurants (Waived if Liquor Permit Inspection is done)	\$50.00
Apartment Buildings and Dormitories:	
Four or less Units	\$100.00
More than Four Units	\$150.00
Business Occupancy and Mercantile Establishments:	
Less than 10,000 sq. ft.	\$50.00
10,000 sq. ft. to 50,000 sq. ft.	\$75.00
Over 50,000 sq. ft.	\$100.00
Hotels, Motels and Bed & Breakfast Establishments	\$100.00
Burn Permit	\$10.00
Other required inspections	\$50.00

Fees for inspections required for amusement rides and vendors for the Windham County Agricultural Association:
The actual time spent by the Fire Marshal for such on-site inspections at his/her current hourly rate of compensation.

- c. Fees for Other Nonprofit Organizations. The fees applicable to any nonprofit organization shall be the lesser of the fees set forth in the schedule above or the time expended by the Fire Marshal for the required on-site inspection at his/her then current hourly rate of compensation.

No final approval of the applicant's plans shall be given or inspection certificates issued by the Fire Marshal until the required fee and the costs, if any, associated with any required independent plan review have been paid in full.

No fees shall be required for any plan approval or inspection for the Town of Brooklyn or any of its municipal agencies, the Brooklyn Library Association, the Quinnebaug Valley Senior Citizens, church buildings, Mortlake Fire Department or the East Brooklyn Fire Department.

Killingly Code of Ordinances

Chapter 10

MOTOR VEHICLES AND TRAFFIC^{1 2}

- Art. I. In General
- Art. II. Stopping, Standing and Parking
- Art. III. Abandoned, Inoperative, Etc., Motor Vehicles

ARTICLE I. IN GENERAL

Section 10-1 - 10-15 Reserved

ARTICLE II. STOPPING, STANDING AND PARKING

Section 10-16 Off-street municipal parking lots

- (a) *Designation as free lots.* The High Street parking lot situated on the westerly side of High Street, the School Street parking lot situated on the easterly side of School Street and the town hall parking lot situated on the westerly side of School Street, all three (3) parking lots being in the Borough of Danielson in the town, are hereby designated as free municipal off-street parking zones. The town hall parking lot shall be reserved primarily for persons working or visiting the Town Hall building, and the School Street and High Street parking lots are intended primarily for patrons of stores, businesses and offices.
- (b) *Responsibility for lots.* Responsibility for the operation, maintenance and general condition of the off-street parking lots referred to in paragraph (a) of this Section shall be vested in the town manager, who may, from time to time, adopt reasonable rules and regulations governing the use of such lots. (Ord. of 3-11-80, §§ 1, 2; Ord. of 8-14-84)

Section 10-17 Parking ban on public streets

- (a) **Authorization**

The Town Manager may implement a parking ban for all vehicles on one or more public streets and/or public parking lots if a parking ban is necessary, at the discretion of the Town Manager, to protect the health and safety of the public. The Town Manager shall provide notice of not less than four (4) hours to the public of a parking ban. The notice shall be distributed to the public through all reasonable means and shall indicate the streets and/or parking lots impacted and the anticipated duration of the parking ban.
- (b) **Exemptions**

All police, fire, ambulance, snow removal and other emergency vehicles are exempt from the provisions of this section. The Town Manager may identify other types of vehicles that are exempt from the provisions of this section.
- (c) **Violations-Penalty**

Violations of this section shall be penalized pursuant to the provisions of the General Statutes of the State of Connecticut, as amended. The Town Manager, any officer attached to an organized police department or any state police officer, may remove, or cause to be removed from any street or highway within the town, any automobile, truck, vehicle, or any personal property parked, placed, deposited, left or allowed to remain upon any street or highway within the town in violation of the provisions of paragraph (a) of this section, to a garage or other place of storage, where the same shall be kept until repossessed by the owner or other person entitled to the possession thereof, or otherwise disposed of. There shall be no liability attached to such Town Manager, any officer attached to an organized police department or any state police officer, for any damages to such motor vehicle while in his or their custody. The owner or other person entitled to the possession of any such automobile, truck; vehicle or other personal property may recover possession thereof upon payment of all expense and cost of removal and storage thereof. All charges necessarily incurred by the Town Manager, an officer attached to any organized police department or any state police officer in the

¹ Cross reference – Restrictions as to vehicles transporting refuse to sanitary landfill area, § 8-24; streets, sidewalks and public places, Ch. 13.

² State law reference – Authority to regulate traffic generally, G.S. § 7-148(a)(12); power limited, G.S. § 14-162

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performance of such duty shall be a lien upon such motor vehicle. The owner or keeper of any garage or other place where such motor vehicle is stored shall have a lien upon the same for his storage charges.

d) **Procedure**

The Town Manager shall implement procedures to implement a parking ban. Procedures shall be publicized not less than annually prior to the winter season and specify locations of where notice of an imminent parking ban is distributed. (Ord. No. X01-032, 12-11-01)

Sections 10-18 - 10-20 Reserved

Section 10-21 Fire Lanes

(a) **Title and Authority**

This Section shall be known as the "Fire Lane Code of the Town of Killingly" and herein referred to as "this code". This Fire Lane Code is authorized by the Connecticut General Statutes, Chapter 541, Section 29-293(b).

(b) **Definitions**

The following words, terms and phrases, when used in this code, shall have the meanings ascribed to them in this sub-section, except where the context clearly indicates a different meaning:

Fire lane means a designated unobstructed passageway: (1) at least 20 feet in width; (2) located at least ten (10) feet but not more than fifty (50) feet from the related structure; (3) with an inside turning radius of at least twenty-five (25) feet; (4) with a vertical grade not greater than ten percent (10%) unless found to be impractical by the Fire Marshal for an existing development or building, than the grade shall be not greater than fifteen percent (15); (5) with a dead end road or fire lane of more than 300 feet in length being provided with a turnaround at the closed end of at least fifty (50) feet in diameter or otherwise determined by the Town's Engineering Department and (6) with a minimum vertical clearance of 13.6 feet and constructed and maintained in a manner to permit free passage of fire apparatus and other emergency equipment and personnel from a public way to all necessary areas, regardless of season of year or weather conditions, around buildings, in areas of developments of subdivisions as may be required elsewhere in this code.

Parking area means lots, areas or other accommodations for the parking of motor vehicles off the street, alley or other way, which lots, areas or other accommodations are available for use by the public either with or without charge.

(c) **Purpose**

Fire lanes are established for the purpose of promoting the public health, safety and welfare by recognizing that there are, and will in the future, exist buildings and other areas within the Town which and to which the public will be invited, served or housed. These buildings or other areas must be provided prompt, adequate emergency services, including access by firefighters and firefighting equipment and other emergency personnel and equipment, in order to accomplish such purposes and effect the saving of life and property in emergency situations.

(d) **Applicability**

The provisions of this code shall, in order to accomplish the stated purpose, be applicable to all proposed and existing developments, subdivisions, buildings and other premises included in the following:

1. Nonresidential developments and subdivisions.
2. All schools whether public or private.
3. Hospitals
4. Hotels
5. Convalescence homes, assisted living residences, rest homes and/or nursing homes.
6. In addition to the forgoing, all other places of public assembly used for gathering together 50 or more persons.

(e) **Establishment of Fire Lanes**

- (1) Each application for residential or non-residential subdivision approval and each application for site plan review submitted to the Planning and Zoning Commission shall be reviewed by the Town's Fire Marshall who will coordinate with the Fire Chief or designee of the fire district or the Borough of Danielson within which such development or building is located. The Fire Marshall shall review each such application to determine the location of such fire lanes as are necessary under this Section and report his findings, recommendations and suggested designation of fire lanes to the Planning and Zoning Commission in writing, which findings, recommendations and suggested designation of fire lanes shall be made part of the record of proceedings before the Planning and Zoning Commission on each such subdivision or site

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plan review application. In such cases, the decision of the Planning and Zoning Commission shall govern the requirement and designation of such fire lanes.

- (2) In any application for a building permit, occupancy or change of use permit not requiring subdivision or site plan review and approval but otherwise included within Section 10-21(d), the Building Official shall notify the Fire Marshall of the application for permit and the Fire Marshall shall designate following coordination with the Fire Chief or designee of the fire district or the Borough of Danielson within which such development or building is located directly to the owner or owner's agent of the premises for which fire lanes are required.
- (3) Within existing developments and premises to which this article is applicable, the Fire Marshall who will coordinate with the Fire Chief or designee of the fire district or Borough of Danielson within which such development or premises is located shall designate fire lanes by written order and shall notify the Planning and Zoning Commission and the owner, owners or owner's agents of said developments or premises of such designation and of any specific requirements for compliance with this code. The designation of fire lanes shall be filed with the Town's Traffic Authority. Any failure to acknowledge the written order for fire lanes within thirty (30) days will be followed by re-notifying the owner, owners or owner's agent by certified mail. Any person aggrieved by such order within thirty (30) days of acknowledged receipt of the written order shall file for an appeal under Section 1-10 of the Killingly Code of Ordinances. The decision of the Hearing Officer will be final within the Town's legal jurisdiction.
- (4) It is recognized that there may exist unusual circumstances necessitating alternative provisions in order to comply with the requirements of this code. In such situations, the Fire Marshall may accommodate the unusual circumstances so long as the greatest level of safety as practical is achieved.

(f) Required access for fire apparatus

- (1) With the exception of existing buildings where compliance is impractical, fire lanes shall provide access to: (a) the main entrance to the building or in the case of multiple occupancy buildings, to the main entrance to each occupancy; (b) to all entry or exit doors in schools; (c) building fire protection system(s); (d) entrances to equipment or mechanical areas and (e) shipping/loading docks.
- (2) With the exceptions of existing buildings where compliance is impractical and those protected with an approved automatic sprinkler system, buildings of a high hazard, or having more than two (2) stories above the lowest level of access by any Killingly Fire District/Company as defined by Life and Safety Codes or containing more than five thousand (5,000) square feet on any one (1) floor, a fire lane shall be provided for the entire perimeter of the building.

(g) Maintenance and identification of Fire Lanes

Fire lanes established under this code shall be kept free of ice and snow and rubbish containers or other obstructions by the owner, owners or owner's agents or occupant of any premises to which this code is applicable; and the owner, owners or owner's agents or occupant shall cause to be erected, installed and maintained at their own expense, permanent, adequate signs bearing the words "Fire Lane-No Parking-Vehicles will be towed at their own expense" in or adjacent to such lane. Such owner, owners or owner's agents or occupant shall cause such other and further designations as may be reasonably required by the Fire Marshall to warn persons to keep such fire lanes unobstructed. Failure to maintain a fire lane in accordance with this code shall render the owner, owners, owner's agents or occupant of such development liable to a fine in accordance with Section 1-9 of the Killingly Code of Ordinances.


(h) Compliance

Notice of the establishment of fire lanes shall provide a reasonable time for compliance, such compliance time being 30 days from the acknowledged time of notification. If compliance is not obtained within such time, the owner, owners, or owner's agents receiving such notice shall be subject to a fine in accordance with Section 1-9 of the Killingly Code of Ordinances.

(i) Parking Prohibited; notice of violation; towing of vehicles

- (1) No person shall park or permit to stand unattended a motor vehicle in any fire lane established in accordance with this code, except when actually picking up or discharging passengers or actively engaged in loading or unloading a motor vehicle.

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- (2) Whenever any vehicle shall be found parked in violation of this code, any police officer shall attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of these regulations. Any motor vehicle found parked or standing in a fire lane that has been established in accordance with this code, in addition to the foregoing, may be towed upon the direction of a police officer to any public or private parking facility or area; and all expense of such towing and any subsequent storage shall be borne by the registered owner or operator of such vehicle together with a fine of \$50.00 levied in accordance with Sections 1-9 and 1-10 of the Killingly Code of Ordinances. (Ord. of 6-12-07)

Sections 10-22 - 10-50 Reserved³

ARTICLE III. ABANDONED, INOPERATIVE, ETC. MOTOR VEHICLES⁴

Section 10-51 Purpose

It is the intention of this article to provide for the protection of the health, welfare, property and safety of the public in general by prohibiting the existence of abandoned, wrecked, junked, in-operative, discarded and dismantled motor vehicles left within the town in places other than junkyards or other so designated areas.

Section 10-52 Definitions

For the purposes of this article, the following words and phrases shall have the meaning described to them in this section:

Antique or collectible motor vehicle: Any motor vehicle at least twenty-five (25) years old which holds a distinctive value because of its style, year of manufacture, name, place of manufacture or method of construction.

Enforcement Officer: The Town of Killingly Zoning Enforcement Officer or such other individual designated by the Killingly Town Manager as Enforcement Officer for the purposes of this Ordinance.

Inoperable motor vehicle: Any vehicle which, due to the mechanical condition thereof, cannot be operated upon the public roadway in its current condition.

Junked motor vehicle: Any vehicle unregistered by the Department of Motor Vehicles as defined in the above definition, which is determined to be inoperable.

Motor vehicle: Any vehicle which is self-propelled and designed to travel along the ground and shall include but not be limited to automobiles, buses, motor bikes, vans, motorcycles, motor scooters, trucks, go-carts, golf carts, campers and trailers.

Section 10-53

Storing, parking, etc., dismantled, inoperative, etc., motor vehicles prohibited; declared nuisance; exceptions.

- (a) No person shall park, store, leave, or permit the parking, storing, or leaving of any motor vehicle of any kind which is in an abandoned, wrecked, dismantled, inoperative, rusted, junked, or partially dismantled condition whether attended or not, upon any public or private property within the town for a period of time in excess of thirty (30) days. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked or partially dismantled vehicle or parts thereof, on private or public property is hereby declared a public nuisance which may be abated as such in accordance with the provisions of this article. Further, one (1) motor vehicle is exempted from the provisions of this Ordinance if it is fully covered by a tarpaulin or other opaque covering and setback at least forty (40) feet from any road or property line.
- (b) This section shall not apply to any vehicle enclosed within a building on private property or to any vehicle held in connection with a business enterprise duly licensed by the Connecticut Department of Motor Vehicles and properly operated in the appropriate business zone, pursuant to the zoning laws of the town, or to any motor vehicle in operable condition specifically adopted or designed for operation on drag strips or raceways, or any vehicle retained by the owner for antique collection purposes.

³ Editor's note—An ordinance adopted August 14, 1984, provided that if §§ 10-34–10-41 be deleted. In as much as such sections constituted the substantive sections of Div. 2, Parking Authority, such division has also been deleted. Formerly, §§ 10-34–10-44 were derived from an ordinance adopted December 21, 1959, §§ 1-8.

⁴ Editor's note—An ordinance adopted Sept. 14, 1982, did not specifically amend this Code; hence infusion of §§ 1 – 16 as §§ 10-51 – 10-66 was at the discretion of the editor.

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Section 10-54 Notice to remove

Whenever it comes to the attention of the town that any nuisance as defined in this article exists, a notice in writing shall be served upon the occupant of the land where the nuisance exists, or in case there is no such occupant, then upon the owner of the property or his agent, notifying them of the existence of the nuisance and requesting its removal within thirty (30) days.

Section 10-55 Responsibility for removal

Upon proper notice and opportunity to be heard, the owner of the abandoned, wrecked, dismantled, or inoperative vehicle and the owner or occupant of the private property on which the same is located, either or all of them, shall be responsible for its removal.

Section 10-56 Notice procedure

The Enforcement Officer shall give notice to remove to the owner or occupant of the private property where it is located, at least thirty (30) days before the time of compliance. It shall constitute sufficient notice, when a copy of the notice is sent by registered mail to the owner or occupant of the private property at his last known address.

Section 10-57 Contents of Notice

The notice shall contain the request for removal within the thirty (30) days specified in this article, and the notice shall advise that failure to comply with the notice to remove shall constitute a violation of this ordinance.

Section 10-58 Request for Hearing

The persons to whom the notices are directed, or their duly authorized agents, may file a written request for a hearing before the town manager or his designee within the thirty (30) day period of compliance prescribed in section 10-56 for the purpose of defending the charges made by the town.

Section 10-59 Procedure for Hearing

The hearing shall be held as soon as practicable after the filing of the request, and the persons to whom the notices are directed shall be advised of the time and place of said hearing at least seven (7) days in advance thereof. At any such hearing the town and the persons to whom the notices have been directed may introduce such witnesses and evidence as either party deems necessary.

Section 10-60 Failure to remove motor vehicle from property

If the violation described in the notice has not been remedied within the thirty-day period of compliance, or in the event that a notice requesting a hearing is timely filed, a hearing is held, and the existence of the violation is affirmed by the town manager or his designee, and the vehicle is not removed within one (1) week from notice of the town manager's decision; such failure shall constitute a violation of this ordinance.

Section 10-61 Penalty

Each vehicle maintained in violation of this ordinance shall be considered a separate violation of this ordinance. Penalty for each violation shall be One Hundred (\$100.00) Dollars per day, which may be assessed against the record owner of the real estate upon which the vehicle is located, the occupant in possession of the real estate, or the record owner of the vehicle, if the same can be determined.

Sections 10-62 - 10-66 Reserved

Sec. 29-293. (Formerly Sec. 29-41). Codes to specify minimum fire safety requirements.

Establishment of fire zones. (a) The Fire Safety Code and the State Fire Prevention Code shall specify reasonable minimum requirements for fire safety in new and existing buildings and facilities.

(b) The State Fire Prevention Code shall, and any municipality may, by ordinance, require the establishment of one or more fire zones for the orderly access of fire and other emergency equipment to buildings or facilities open to the public. Any such ordinance may be in accordance with the (1) size, type of construction and nature of use or occupancy of such buildings or facilities, and (2) the fire suppression equipment and method of attack utilized by the fire department.

(1949 Rev., S. 3666; 1971, P.A. 802, S. 10; P.A. 73-95, S. 2; P.A. 85-34, S. 1; June Sp. Sess. P.A. 98-1, S. 63, 121; P.A. 99-163, S. 4; P.A. 09-177, S. 3.)

History: 1971 act deleted references to municipalities' right to enact ordinances as provided in Sec. 19-378 and required that orders made by municipalities be "consistent with" rather than "equal to, additional to or more stringent than" regulations issued under authority of Secs. 29-40 to 29-42; P.A. 73-95 authorized inclusion in code of requirement that fire safety zones be established; Sec. 29-41 transferred to Sec. 29-293 in 1983; P.A. 85-34 deleted provision re municipalities' rights to make orders with respect to buildings as provided in Sec. 29-383, that section being repealed in the same act; June Sp. Sess. P.A. 98-1 made a technical change, effective June 24, 1998; P.A. 99-163 divided the section into Subsecs. and deleted provision re discretionary inclusion in fire code of requirement to establish fire zones in premises open to public from Subsec. (a) and, in Subsec. (b), clarified that municipalities may establish fire zones; P.A. 09-177 added references to State Fire Prevention Code.

Cited. 204 C. 410.