

AGENDA
CITY COUNCIL MEETING
MONDAY, JANUARY 7, 2019

7:00 P.M.
CITY COUNCIL CHAMBERS, CITY HALL - 45 LYON TERRACE
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

Mayoral and City Council Citation(s): Recognizing local small business Madison Cleaners & Tailors on their 65th Anniversary of continuously supporting the City of Bridgeport and the Madison Avenue Community.

MINUTES FOR APPROVAL:

Approval of City Council Minutes: December 3, 2018

ITEM FOR IMMEDIATE CONSIDERATION:

- 15-18** Communication from City Attorney re: Proposed Settlement of Pending Litigation with Robert Sapiro, **FOR IMMEDIATE CONSIDERATION/POSSIBLE EXECUTIVE SESSION.**

COMMUNICATION TO BE REFERRED TO COMMITTEE:

- 14-18** Communication from Airport re: Grant Submission: State of Connecticut Department of Economic and Community Development (DECD) for an Urban Act Grant to Provide Capital Improvements at Igor I. Sikorsky Memorial Airport, referred to Public Safety and Transportation Committee.

RESOLUTION TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.:

- 16-18** Resolution presented by Council Member Jackson re: Proposed resolution regarding a one year moratorium concerning wireless communication facilities and devices, referred to Economic and Community Development and Environment Committee.

MATTER TO BE ACTED UPON (CONSENT CALENDAR):

- *07-18** Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, amend Chapter 8.20 – Food and Food Establishments.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, JANUARY 7, 2019 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

NAME

SUBJECT

John Marshall Lee
30 Beacon Street
Bridgeport, CT 06605

Governance – City Fiscal.

Cecil C. Young
99 Carroll Avenue
Bridgeport, CT 06607

Cover-up of unjust termination.

Robert Halstead
55 Sterling Place
Bridgeport, CT 06604

State of bicycle in Bridgeport.

**CITY COUNCIL MEETING
PUBLIC SPEAKING
MONDAY, JANUARY 7, 2019
6:30 PM
City Council Chambers, City Hall
45 Lyon Terrace
Bridgeport, CT**

CALL TO ORDER

Council President Aidee Nieves called the Public Speaking Session to order at 6:32 p.m.

ROLL CALL

The City Clerk Lydia Martinez called the roll.

130th District: Christina Smith, Pete Spain
131st District: Denese Taylor-Moye, Jack O. Banta
132nd District: Marcus Brown, Kyle Langan
133rd District: Jeannette Herron, Michael Defilippo
134th District: AmyMarie Vizzo-Paniccia, Michelle Lyons
135th District: Rosalina Roman-Christy, Mary McBride-Lee
136th District: Alfredo Castillo
137th District: Maria Valle, Aidee Nieves
138th District: Karen Jackson, Nessah Smith
139th District: Ernest Newton

RECEIVED
CITY CLERK'S OFFICE
19 JAN 11 AM 11:10
CITY CLERK

A quorum was present.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, JANUARY 7, 2019 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

NAME

SUBJECT

John Marshall Lee
30 Beacon Street
Bridgeport, CT 06605

Governance – City
Fiscal.

Mr. John Marshall Lee came forward and read the following into the record:

**Bridgeport Buries Another Young Gun Violence Victim....
(Clinton Howell, Age 12, died in December, 2018). His death prompted one member of the City Council to propose an era of “stop and frisk” in Bridgeport and caused**

another Council member, a teacher of the youth, to seriously seek an answer regarding youth mortality in the City.

James Walker, an OP Ed senior writer for the New Haven Register had a CT Post front page column today: Headlined “The bullets just keep flying.”

Clyde Nicholson can often be observed and sometimes even heard at Bridgeport City Council meetings. When he rises to share his passion for keeping youths alive and away from the mortal dangers of gun violence, he speaks forcefully without notes. Currently he is frustrated by the lack of public concern that can lead to practical action on the part of leadership and different outcomes for the community.

Born in Alabama, Nicholson came to Bridgeport about 40 years ago at age 18. He operates a business dealing in commercial restaurant equipment throughout the region. His children are grown today with ages between 21 and 40, so his continuing campaign and advocacy goes well beyond personal.

He is drawn to this community disgrace where about one-third of homicides share the same facts:

1. An underage victim (and likely assailant)
2. Possession of a stolen/unregistered gun
3. Gun concealed while carried on street within City limits
4. Weapon is discharged
5. Bullet(s) once airborne do not discriminate-they can kill or wound anyone.

Nicholson suggests that Bridgeport vote itself a “City gun free zone” and instruct after serious discussion with the entire community as well as the Public Safety officers on the implications of such a designation. Guns would still be available within homes and businesses. However, they will not be available for drive by shootings because of new necessary community policing measures and severe penalties for persons found to be breaking the law. We already have Court Houses and Police HQ that are “gun free” sites. “Expand those sites to the City borders,” Clyde suggests. “Isn’t that the way NO SMOKING moved from hospitals, to public buildings, to restaurants and offices? Separate the killing instruments from the people to decrease the risk?”

Make gun punishments severe and certain!! Would an automatic ten year sentence when caught carrying a gun serve as adequate deterrent. Plus another 10 year added on automatically for each bullet fired? And with a guaranteed 25 year term for murder? Do such sentence deterrents, whatever the color of one’s skin, make the community safer from gun violence?

The police already have dash cameras and vest cameras along with protective bullet proof vests, tazers and gunfire detection equipment for targeting the location where guns are fired. The only additional equipment necessary would be a wand, like those used at the airport, when a police officer identifies himself and with respect asks for citizen cooperation with a wand. We are told that the police “protect and serve” but when the

most frequently used instrument is seen as a gun, can we understand why there is fear in place of cooperation today? Will the act of "wandering" bring more officers into close contact with folks who live on the street and change the feelings from interactions that promote safer living for all, rather than place the police as alternate combatants in a war never expected to end? Time will tell.

Mr. Lee closed his remarks with words from the James Walker column Monday AM:

"....but it is the black community that must lead the way out. Because if we don't, parents beware, we can only expect more bullets, more deaths, more funerals, more press conferences, more arrests and more sound bites.....and many more Clinton's and Tyrick's. Targets? The bullets just keep on flying."

Hopefully there are enough "adults who care" to launch discussions within the affected community and move towards actions that can decrease the lead flying in the City. Ultimately it is "leadership" and not "lead" that should dominate.

Cecil C. Young
99 Carroll Avenue
06607

Cover-up of unjust
termination. Bridgeport, CT

Mr. Young came forward to speak about his unjust termination. He said that it was time to show the City real Community Policing. He said that the police only train people to arrest rather than working with the community. Mr. Young then displayed photos of his former job in housing. It is not easy to get folks involved with the police. He spoke about PT Barnum complex and how he was about civil rights. He said that his civil rights had been violated. When he approached some Council Members, they asked him what they could do. He said that he has just asked them to prove that the City was justified in firing him. He said that he was hurt regarding the way he was treated.

Mr. Young then addressed Council Member Newton and said he wasn't respected. Now that Council Member Newton has indicated that a stop and frisk policy might improve things, people are upset. He said that this was one of the reasons that black folks don't work with the police. This isn't about black and white but right and wrong.

Robert Halstead
55 Sterling Place
Bridgeport, CT 06604

State of bicycle in
Bridgeport

Mr. Halstead came forward and said that he had worked for the City. At the last meeting there was an extended meeting by the OPED staff and they referred to misinformation.

He said that the original bike path went up from the train station along Boston Avenue. The issue is that the bike path is in the wrong location. The 1.8 million-dollar grant requires \$400,000 from the City and the \$1.4 million will be spent on painting lines and putting up signs that won't work. Trumbull built bridges and tunnels with their money and Bridgeport is painting lines.

City of Bridgeport
City Council
Regular Meeting
January 7, 2019

Mr. Halstead said that Council Member Langan had said that it would cost more money for Mr. Halstead's plan, but Mr. Halstead said that he wasn't trying to hide the extra costs. He added that no one would be hurt on the bike path because no one would be using it. He said that the public hearing process was very perfunctory. He said that he hoped that sometime the public could speak about bikes because they are being cut off a lot.

Jacquelyn Cauthen
397 Charles Street
Bridgeport, CT 06606

Becoming Divas Conference,
March 2019 Wholistic
Network.

Ms. Cauthen said that last month she had been working with Representative about a location for the program. Housatonic has stepped forward with a room that seats 300 people. She thanked Council Members Herron and Jackson for their assistance. Now her biggest concern is feeding the girls because they will be at the event from 10 a.m. to 3 p.m.

She then shared a number of subjects that the girls wished to have covered in the conference. Those topics included: fashion, make up, how to handle being mistreated, how to treat others so the city is clean and safe; and the wage disparity between men and women.

Clyde Nicholson
396 Madison Avenue
Bridgeport, CT 06604

Stop and Frisk Policy.

Mr. Clyde Nicholson came forward and wished everyone a Happy New Year. He said that he hoped that everyone would learn something from last year.

Mr. Nicholson said that he wanted to tell Council Member Newton that his suggestion that stop and frisk policy was a good idea. He reminded everyone that when you enter a Federal building, they frisk you.

Mr. Nicholson said that there was an incident when a 12-year-old was murdered for a cell phone. How many deaths are enough, bullets don't discriminate. When are people going to wake up and say enough is enough. He encouraged Council Member Newton to stand his ground. In Stamford, Norwalk, Fairfield, and Greenwich, how many died? Not 11. It is time to take back our city. No one will move into the City if they think their child will be shot. It is time to do what is right.

ADJOURNMENT

Council President Nieves adjourned the public speaking portion of the Council meeting at 7:02 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

City of Bridgeport
City Council
Regular Meeting
January 7, 2019

CITY OF BRIDGEPORT
CITY COUNCIL MEETING
MONDAY, JANUARY 7, 2019

7:00 PM

City Council Chambers, City Hall - 45 Lyon Terrace

Bridgeport, Connecticut

Mayor Ganim called the meeting of the City Council to order at 7:12 p.m.

PRAYER

Mayor Ganim requested Council Member McBride Lee lead those present in prayer.

PLEDGE OF ALLEGIANCE

Mayor Ganim requested that Council President Nieves lead those present in reciting the Pledge of Allegiance.

Mayoral and City Council Citation(s): Recognizing local small business Madison Cleaners & Tailors on their 65th Anniversary of continuously supporting the City of Bridgeport and the Madison Avenue Community.

The owners of Madison Cleaners & Tailors were called forward and presented with both Mayoral and City Council Citations recognizing their contributions to the City. They were then presented with Mayoral and City Council Citations.

ROLL CALL

The City Clerk called the roll.

130th District: Christina Smith, Pete Spain
131st District: Denese Taylor-Moye, Jack O. Banta
132nd District: Marcus Brown, Kyle Langan
133rd District: Jeannette Herron, Michael Defilippo
134th District: AmyMarie Vizzo-Paniccia, Michelle Lyons
135th District: Rosalina Roman-Christy, Mary McBride-Lee
136th District: Alfredo Castillo
137th District: Maria Valle, Aidee Nieves
138th District: Karen Jackson, Nessah Smith
139th District: Ernest Newton

A quorum was present.

City of Bridgeport
City Council
Regular Meeting
January 7, 2019

MINUTES FOR APPROVAL

Approval of City Council Minutes: December 3, 2018.

- ** COUNCIL MEMBER BROWN MOVED THE MINUTES OF DECEMBER 3, 2018.**
- ** COUNCIL MEMBER N. SMITH SECONDED.**
- ** THE MOTION TO APPROVE THE MINUTES OF DECEMBER 3, 2018 AS SUBMITTED PASSED UNANIMOUSLY.**

ITEM FOR IMMEDIATE CONSIDERATION:

15-18 Communication from City Attorney re: Proposed Settlement of Pending Litigation with Robert Sapiro. FOR IMMEDIATE CONSIDERATION/POSSIBLE EXECUTIVE SESSION.

Council Member Vizzo-Paniccia said that she had spoken to Council President Nieves regarding this matter because there were two other legal matters that also had been approved by the Miscellaneous Matters Committee. She said that her Co-chair, Council Member N. Smith would be requesting to add those item to the agenda before the Council entered into Executive Session so that they could be included in the Executive Session.

Council Member Vizzo-Paniccia said that if the Council could move this item to the end of the agenda, it would be helpful.

**** COUNCIL MEMBER N. SMITH MOVED TO ADD THE FOLLOWING TWO ITEMS TO THE AGENDA THAT WERE JUST APPROVED BY THE MISCELLANEOUS MATTERS COMMITTEE:**

01-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH NM PPA MAXINE GORDON, ET AL.

04-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH LONNIE BLACKWELL.

**** COUNCIL MEMBER CASTILLO SECONDED.**

Council Member Spain asked for clarification on the agenda items and if the motion abided by the Charter Chapter, 5, Section 5d - A matter may be considered without referring to a committee if the city council determines this by two thirds vote of the members present and voting that the emergency requires immediate action.

Council Member N. Smith read the full title of the agenda items for Council Member Spain.

Mayor Ganim explained that the two additional items were not for Immediate Consideration because they had already been approved by the Miscellaneous Matters Committee.

**** THE MOTION PASSED UNANIMOUSLY.**

COMMUNICATION TO BE REFERRED TO COMMITTEE:

14-18 Communication from Airport re: Grant Submission: State of Connecticut Department of Economic and Community Development (DECD) for an Urban Act Grant to Provide Capital Improvements at Igor I. Sikorsky Memorial Airport, referred to Public Safety and Transportation Committee.

RESOLUTION TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.:

16-18 Resolution presented by Council Member Jackson re: Proposed resolution regarding a one year moratorium concerning wireless communication facilities and devices, referred to Economic and Community Development and Environment Committee.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO COMBINE AND APPROVE THE COMMUNICATIONS TO BE REFERRED TO COMMITTEES WITH THE RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.**

**** COUNCIL MEMBER NEWTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

MATTER TO BE ACTED UPON (CONSENT CALENDAR):

***07-18** Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, amend Chapter 8.20 – Food and Food Establishments.

**** COUNCIL MEMBER SPAIN MOVED THE AGENDA ITEM ON THE CONSENT CALENDAR.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO SUSPEND THE RULES TO ADD AN ITEM FOR REFERRAL TO THE PUBLIC SAFETY COMMITTEE.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO REFER A RESOLUTION REGARDING THE CLEAN SLATE HIRING POLICY FOR THE CITY OF BRIDGEPORT TO THE PUBLIC SAFETY COMMITTEE.**

**** COUNCIL MEMBER BROWN SECONDED. (ITEM #17-18)**

Council Member Langan requested that his name be added as a co-sponsor of the bill. Council Members Herron, Jackson, Brown, Banta and Spain requested the same. Mayor Ganim suggested that any Council Member who did not wish to be a co-sponsor of the bill inform the City Clerk. No one came forward.

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM FOR IMMEDIATE CONSIDERATION (CONTINUED):

**15-18 Communication from City Attorney re: Proposed Settlement of Pending Litigation with Robert Sapiro,
FOR IMMEDIATE CONSIDERATION/POSSIBLE EXECUTIVE SESSION.**

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER INTO EXECUTIVE SESSION TO CONSIDER THE FOLLOWING PENDING LITIGATION:**

15-18 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH ROBERT SAPIRO.

01-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH NM PPA MAXINE GORDON, ET AL.

04-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH LONNIE BLACKWELL.

**** COUNCIL MEMBER BROWN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mayor Ganim left the meeting at 7:32 p.m. Council President Nieves assumed the Chair.

The Council Members and Deputy City Attorney Bohannan entered into Executive Session to discuss pending litigation at 7:32 p.m. They returned to Public Session at 8:32 p.m. No votes were taken during Executive Session.

**** COUNCIL MEMBER N. SMITH MOVED TO APPROVE THE FOLLOWING ITEMS:**

15-18 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH ROBERT SAPIRO.

01-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH NM PPA MAXINE GORDON, ET AL.

04-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH LONNIE BLACKWELL.

**** COUNCIL MEMBER BROWN SECONDED.**

Council Member Vizzo-Paniccia pointed out that each item should be voted on separately. Deputy City Attorney Bohannan agreed.

**** COUNCIL MEMBER N. SMITH WITHDREW HER MOTION.**

**** COUNCIL MEMBER BROWN WITHDREW HIS SECOND.**

**** COUNCIL MEMBER N. SMITH MOVED TO APPROVE AGENDA ITEM 01-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH NM PPA MAXINE GORDON, ET AL.**

**** COUNCIL MEMBER BROWN SECONDED.**

**** THE MOTION PASSED WITH ELEVEN (11) IN FAVOR (C. SMITH, SPAIN, TAYLOR-MOYE, BROWN, LANGAN, CASTILLO, NIEVES, VALLE, JACKSON, N. SMITH, AND NEWTON) AND SEVEN (7) AGAINST (BANTA, DEFILIPPO, HERRON, LYONS, MCBRIDE-LEE, ROMAN CHRISTY AND VIZZO-PANICCIA).**

**** COUNCIL MEMBER N. SMITH MOVED TO APPROVE AGENDA ITEM 04-18 PROPOSED SETTLEMENT OF PENDING LITIGATION WITH LONNIE BLACKWELL.**

**** COUNCIL MEMBER BROWN SECONDED.**

**** THE MOTION PASSED WITH SEVENTEEN (17) IN FAVOR (C. SMITH, SPAIN, TAYLOR-MOYE, BANTA, BROWN, LANGAN, DEFILIPPO, HERRON, LYONS, MCBRIDE-LEE, ROMAN-CHRISTY, CASTILLO, NIEVES, VALLE, JACKSON, N. SMITH, AND NEWTON) AND ONE (1) OPPOSED (VIZZO-PANICCIA).**

**** COUNCIL MEMBER N. SMITH MOVED TO APPROVE AGENDA ITEM 15-18 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH ROBERT SAPIRO.**

**** COUNCIL MEMBER BROWN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER HERRON MOVED TO ADJOURN.**

**** COUNCIL MEMBER BROWN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned 8:39 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Service



**OFFICE OF THE CITY CLERK
COMMUNICATION FORM**

IMMEDIATE CONSIDERATION

Below to be used for processing of Immediate Consideration items only

Log ID/Item number: **15-18**
Submitting Department / Contact Name: **City Attorney's Office
R. Christopher Meyer, City Attorney**
Subject: **Proposed Settlement of Pending Litigation with Robert Sapiro.**
Referred to Committee: **Immediate Consideration**
City Council Date: **January 7, 2019**

Attest:

Lydia N. Martinez

01/07/2019

Lydia N. Martinez, City Clerk

Date

Approved by:

Joseph Ganim, Mayor

Date

PLEASE NOTE: Mayor did not sign report

ATTEST
CITY CLERK

RECEIVED
CITY CLERKS OFFICE
19 JAN 28 PM 1:14

COMM. #15-18 Ref'd For IMMEDIATE CONSIDERATION on 1/7/2019

CITY OF BRIDGEPORT
OFFICE OF THE CITY ATTORNEY

999 Broad Street
Bridgeport, CT 06604-4328

CITY ATTORNEY
R. Christopher Meyer

DEPUTY CITY ATTORNEY
John P. Bohannon, Jr.

ASSOCIATE CITY ATTORNEYS

Mark T. Anastasi
Richard G. Kascak, Jr.
Bruce L. Levin
Russell D. Liskov
John R. Mitola
Lawrence A. Ouellette, Jr.
Ronald J. Pacacha
Lisa R. Trachtenburg
Tyisha S. Toms



ASSISTANT CITY ATTORNEYS

Tamara Titre
Eroll V. Skyers

Telephone (203) 576-7647
Facsimile (203) 576-8252

December 24, 2018

The Honorable City Council
of the City of Bridgeport
45 Lyon Terrace
Bridgeport, CT 06604

RECEIVED
CITY CLERKS OFFICE
18 DEC 27 AM 10:44
ATTEST
CITY CLERK

**Re: Proposed Settlement of Pending Litigation in the matter of
Robert Sapiro v. City of Bridgeport, et al
Civil Action No 3:17-cv-00246 (JAM)**

Dear Councilpersons:

The Office of the City Attorney respectfully recommends the following pending lawsuit be settled as set forth below. It is our professional opinion that resolving this matter for the consideration agreed to between the parties is in the best interests of the City of Bridgeport.

<u>Plaintiff</u>	<u>Nature of Claim</u>	<u>Plaintiff's Attorney</u>
Robert Sapiro	Administrative / Civil Action	Law Offices of Lewis Chimes, LLC

Kindly place this matter on the agenda for the City Council meeting on January 7, 2019 for referral to ~~the Miscellaneous Matters Committee meeting on January 28, 2019.~~ For
this matter. IMMEDIATE Consideration (F) 1-2-2018. Thank you for your assistance in

Very truly yours,

R. Christopher Meyer
City Attorney

- cc: Joseph P. Ganim, Mayor
- Lydia Martinez, City Clerk
- Cindy Kane, Paralegal
- John P. Bohannon, Jr., Esquire
- Richard G. Kascak, Jr., Esquire
- Mark T. Anastasi, Esquire



CITY of BRIDGEPORT
SIKORSKY
MEMORIAL AIRPORT



Administrative Office - 1000 Great Meadow Road - Stratford, CT 06615
Telephone (203) 576-8162 - Fax (203) 576-8166

January 2, 2019

Lydia Martinez
City Clerk
City of Bridgeport
45 Lyon Terrace
Bridgeport, CT 06604

RE: **Igor I. Sikorsky Memorial Airport**
Department of Economic and Community Development (DECD) Grant Acceptance

Dear City Clerk Lydia Martinez,

Attached please find a resolution and grant summary regarding a Department of Economic and Community Development (DECD) grant offer to perform capital improvements at Igor I. Sikorsky Memorial Airport. We respectfully request adding this matter as an item to the City Council's meeting agenda on Monday, January 7, 2019 for referral to the Public Safety and Transportation Committee.

Please let me know if you have any questions.

Sincerely,

Michelle Muoio, PMP
Airport Manager

Enc: as stated

cc: John Ricci, Department of Public Facilities Director
Francis Ortiz, Assistant City Clerk

RECEIVED
CITY CLERKS OFFICE
19 JAN -2 AM 11:20
STIESE
CITY CLERK



CITY of BRIDGEPORT
SIKORSKY
 MEMORIAL AIRPORT



GRANT SUMMARY

PROJECT TITLE: **Airport Capital Improvements – DECD Urban Act Grant**

NEW RENEWAL CONTINUING

DEPARTMENT SUBMITTING INFORMATION: **Public Facilities – Sikorsky Memorial Airport**

CONTACT NAME: **Michelle Muoio**

PHONE NUMBER: **203-576-8163**

PROJECT SUMMARY/DESCRIPTION: The Igor I. Sikorsky Memorial Airport, a subgroup of the City of Bridgeport Public Facilities Department, is seeking funding to conduct capital improvements at the airport. Funding will come from the State of Connecticut Department of Economic and Community Development (DECD) in the form of a Seven Million Dollar (\$7,000,000) Urban Act grant. Funding will cover airfield improvements, such as pavement rehabilitation, to support potential future scheduled air service as well as support growing private and business aviation demand.

FUNDING SOURCES (include matching/in-kind funds):	
Federal:	Not Applicable
State:	\$ 7,000,000
City:	\$ 0
Private:	\$ 8,000,000

GRANT FUNDED PROJECT FUNDS REQUESTED	
Salaries/Benefits:	\$ 0
Supplies:	\$ 0
Equipment:	\$ 0
Contractual:	\$ 0
Other:	\$ 0

IN-KIND MATCH PROJECT FUNDS REQUESTED	
Salaries/Benefits:	\$ 0
Supplies:	\$ 0
Equipment:	\$ 0
Other:	\$ 0

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
STATE OF CONNECTICUT
(AN EQUAL OPPORTUNITY EMPLOYER)
CERTIFIED RESOLUTION OF THE GOVERNING BODY

I, Francis Ortiz, Assistant City Clerk, certify that below is a true and correct copy of a
(Name of Official) (Title of Official)

resolution duly adopted by the City of Bridgeport
(Name of the Applicant)

at a meeting of its City Council
(Governing Body)

duly convened on _____ and which has not been rescinded or modified in
(Meeting Date)

any way whatsoever and is at present in full force and effect.

(Date)

(Signature and Title of Official)

SEAL

WHEREAS, pursuant to Conn. Gen. Stat. Sec. 4-66c,
(State Statutory Reference)

the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the City of Bridgeport make an application to the State for
(Applicant)

Seven Million Dollars (\$7,000,000) in order to undertake the Sikorsky Memorial Airport Improvement
(Name and Phase of Project)

Project, Phase 1, to include, but not necessarily be limited to the repairs/improvements to Runway 11-29 and associated taxiways, repairs/improvements to parking, and the private matching funding to be associated with the construction of a terminal for passenger carrier service and an apron to support planes servicing the carrier operation, and to execute an Assistance Agreement with the State.

NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL OF THE CITY OF BRIDGEPORT, CONNECTICUT
(Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by The Department of Economic and Community Development pursuant to C.G.S. Sec. 4-66c;
(State Statutory Reference)
2. That the filing of an application for State financial assistance by The City of Bridgeport
(Applicant)
in an amount not to exceed \$ 7,000,000 is hereby approved and that

the Mayor, currently Joseph P. Ganim, and /or his mayoral successors is/are

(Title and Name of Authorized Official)

directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the City of Bridgeport.

(Name of Applicant)



OFFICE OF THE CITY CLERK RESOLUTION FORM

RECEIVED
CITY CLERKS OFFICE

19 JAN -3 PM 1:46

ATTEST _____
CITY CLERK

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number:	16-18
Submitted by Councilmember(s):	Karen Jackson
Co-Sponsors(s):	Choose an item. Choose an item. Choose an item. Choose an item.
District:	138TH
Subject:	Wireless Communication Facilities and Devices
Referred to:	ECD and Environment Committee
City Council Date:	January 7, 2019

SECTION II RESOLUTION (PLEASE TYPE BELOW)

WHEREAS, the Bridgeport City Council desires to update its local standards and procedures to protect and promote the public health, safety and welfare of the Bridgeport community, to reasonably regulate wireless communication facilities aesthetics, to protect and promote the unique City character in a manner consistent with State and federal laws and regulations; and

WHEREAS, wireless infrastructure is being deployed at an unprecedented speed and cellular facilities have been approved without proper justification and proof that the placement is to serve existing demand or provide public safety benefits; and

WHEREAS, based upon new and emerging scientific evidence there continues to be considerable debate as to the adequacy of existing public exposure standards including those promulgated by the Federal Communications Commission; and

WHEREAS, serious concerns exist regarding wireless permits approved near schools without proper notification to school officials and nearby property owners or proper review and oversight of the wireless applications; and

WHEREAS, evidence exists to support the classification of electromagnetic fields as a possible human carcinogen and for some people, short term effects from cell tower radiation exposure may include headaches, sleep disorders, poor memory, mental excitation, confusion, anxiety, depression, appetite disturbance and listlessness; and

WHEREAS, there is a real concern that cellular phone may cause cancer or other health problems as cell phone emit radiofrequency radiation a form of non-ionizing radiation from their antennas and the parts of the body nearest to the antenna can absorb this energy as studies have shown some evidence of statistical association of cell phone use and brain tumor risks in humans; and



OFFICE OF THE CITY CLERK RESOLUTION FORM

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bridgeport that no new cell towers, “mono pines” or antennae shall be located closer than 1500 feet to a residential home, residential apartment buildings, all publicly owned buildings house of worship, day care center or school <http://www.toh.li/permits-and-Alertapplications/wireless-telecom-ordinance><<http://www.toh.li/permits-and-applications/wireless-telecom-ordinance> (change from NY counterpart to CT); and

BE IT FURTHER RESOLVED citizens are alerted through the City of Bridgeport Department of Health about the fine print warnings and possible health risks of cell phones and wireless devices by sharing the Environmental Health Trusts 10 Steps to Safe Tech and Doctors Advice on Cell Phones Brochure in City health fairs and city centers.2. Through the city Clerk Office with approval from the City Council To send the FCC Chairman a letter urging the adoption of “radiation standards that will protect human health and safety”; and

BE IT FURTHER RESOLVED the Bridgeport Board of Education is called upon to oppose cell towers on school grounds and through the city Clerk Office the City Council will write a letter to the local school board opposing such actions presented in the resolution; and

BE IT FURTHER RESOLVED the Bridgeport Board of Education is called upon to err on the side of caution, and adopt a policy in January 2019 prohibiting commercial microwave technology sites and will oppose those proposed for sites adjacent top school boundaries http://www.oregonlive.com/news/index.ssf/2008/09/west_linnwilsonville_school_bo.htmlhttp://www.oregonlive.com/news/index.ssf/2008/09/west_linnwilsonville_school_bo.html; and

BE IT FURTHER RESOLVED that a one year or 365 day moratorium on all permits/applications and building of any and new all cell phone towers, “monopines” and antennas no matter the size in the City of Bridgeport which will give the Ordinance and Safety committee time to write new cell-tower regulations and safety ordinances be in place to protect people who live in the City of Bridgeport and without defying the moral code of most real “persons” according to the conclusion of the Environmental Protection Agency Administrator for New England Region (Region I) to perform the appropriate research and experimentation to determine the effects of non-ionizing radiation on the health, of not only adults, but children who are the most vulnerable and, if appropriate, establish a safe level of exposure. As it stands the current state cell tower regulations are outdated and insufficient to deal with modern laws and equipment. This moratorium blocks permitting of new wireless communications towers, antennae, “monopines,” between now to January 19, 2020. The Ordinance Committee and Safety Committee hopes to adopt a master plan regulating where and how cell towers are built. What we should have through this proper resolution is an opportunity, real opportunities, for the public to participate both in the structuring of the final ordinance, and during the siting of different towers.



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on:	
	CT Post Publication Date(s):	
	Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
-----------------	--	-------

SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
-----------------	--	-------

SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)

Boyer, Mike

From: Boyer, Mike
Sent: Thursday, January 03, 2019 1:56 PM
To: Nieves, Aidee; lydia.martinez@Bridgeportct.gov; Ortiz, Frances; Pettway, Lonnette
Cc: Jackson, Karen
Subject: RE: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.
Attachments: Submitted for 138th Karen Jackson.pdf

I spoke with Karen about the resolution. She' fine with that. As for committee after further conversation she decided to go ahead with France's advice to refer it to ECD&E where they may determine it should go elsewhere, ask for legal advice, or ask to become a joint committee. Attached revised resolution has been submitted.

-----Original Message-----

From: Ortiz, Frances
Sent: Wednesday, January 02, 2019 2:59 PM
To: Jackson, Karen <Karen.Jackson@Bridgeportct.gov>
Cc: Nieves, Aidee <Aidee.Nieves@Bridgeportct.gov>; Boyer, Mike <Mike.Boyer@Bridgeportct.gov>
Subject: FW: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.

Good Afternoon Karen -

I am reading this trend of emails in regards to this referral. I am reading the City Council Rules and this resolution doesn't fall within the scope of Ordinance Committee and/or public safety as previously referred to. Please read Rule XIII: References to Committees Rule# 8 (see attached copy of rules). It clearly falls under the jurisdiction of the ECDE Committee. This relates to external and internal conditions affecting the health and welfare of the citizens etc.....

I will recommend this referral to be referred to ECDE Committee not Ordinance Committee.

Sincerely,
Frances

-----Original Message-----

From: Boyer, Mike
Sent: Wednesday, January 02, 2019 1:49 PM
To: Jackson, Karen <Karen.Jackson@Bridgeportct.gov>
Cc: Nieves, Aidee <Aidee.Nieves@Bridgeportct.gov>; Ortiz, Frances <Frances.Ortiz@Bridgeportct.gov>; Pettway, Lonnette <Lonnette.Pettway@Bridgeportct.gov>
Subject: RE: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.

Here you go. Ok to submit? Agenda closes at 4:30.

-----Original Message-----

From: Boyer, Mike
Sent: Wednesday, January 02, 2019 10:18 AM

To: Jackson, Karen <Karen.Jackson@Bridgeportct.gov>
Cc: Nieves, Aidee <Aidee.Nieves@Bridgeportct.gov>; Ortiz, Frances <Frances.Ortiz@Bridgeportct.gov>
Subject: RE: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.

Absolutely. There is no Ordinance and Safety committee. Last one I did on cell towers went to Public Safety and Transportation. That okay?

-----Original Message-----

From: Jackson, Karen
Sent: Wednesday, January 02, 2019 10:13 AM
To: Boyer, Mike <Mike.Boyer@Bridgeportct.gov>
Subject: Re: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.

No continue as is.
Karen Jackson

Sent from Karen's iPhone

> On Jan 2, 2019, at 9:15 AM, Boyer, Mike <Mike.Boyer@bridgeportct.gov> wrote:

>
> Good morning,
>
> See from your Dennis Buckley email and info below you're following up. You want me to hold off on this until you're set. That would be the 22nd.

>
> Best,
> Mike

>
> -----Original Message-----

> From: Jackson, Karen
> Sent: Monday, December 31, 2018 9:10 AM
> To: Boyer, Mike <Mike.Boyer@Bridgeportct.gov>
> Cc: Anastasi, Mark T <Mark.Anastasi@Bridgeportct.gov>
> Subject: Re: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.

>
> I did I checked with Mark and found out the law doesn't cover the mono pines antennae it only specifies towers only. Public buildings are under municipality jurisdiction not private property.

> Karen Jackson
> CC
> District 138th

>
>
>

>> On Dec 31, 2018, at 7:10 AM, Boyer, Mike <Mike.Boyer@bridgeportct.gov> wrote:

>>
>> Karen, just checking to see if you are following up on Aidee's suggestions below.

>> _____

>> From: Nieves, Aidee
>> Sent: Wednesday, December 19, 2018 10:14:37 AM

>> To: Jackson, Karen

>> Cc: Boyer, Mike; Ortiz, Frances; Coleman, William; Haig, Lynn; Tom.Mecewicks@Bridgeportct.gov; Clay, Ginne-Rae; Gill, Thomas; Bond, Maritza; Gaines, Audrey; Buckley, Dennis

>> Subject: Re: This resolution to be sent to the ordinance and Safety committee. I am not sending this to legal. I want the ordinance and Safety committee to request legal.

>>

>> Karen,

>>

>> I would suggest you get some research done on this before sending it to a committee as well as ask your state rep for his assistance to ensure you can get this moved quickly and not delayed in committee. There maybe something in the state that has been done regarding cell towers.

>>

>> In addition to that we already have some apartment buildings that allow a cell company to put towers on them. I had that happen in my district recently and the landlord has the ability to rent his roof to a cell company. I had Chris Rosario working on it once I found out.

>> There was tower legislation being worked on last session check to see what got passed or not use some of that if possible. In addition call CCM and ask them about information that being lobbied regarding changes.

>>

>>

>>

>> Sent from my iPhone

>>

>> On Dec 18, 2018, at 5:25 PM, Jackson, Karen

<Karen.Jackson@Bridgeportct.gov<mailto:Karen.Jackson@Bridgeportct.gov>> wrote:

>>

>>

>> * 1. No new cell towers, "mono pines" or antennae shall be located closer than 1500 feet to a residential home, residential apartment buildings, all publicly owned buildings house of worship, day care center or school.

>> * <http://www.toh.li/permits-and-Alertapplications/wireless-telecom-ordinance><<http://www.toh.li/permits-and-applications/wireless-telecom-ordinance>> (change from NY counterpart to CT)

>>

>> * 2. Alert citizens through the City of Bridgeport Department of Health about the fine print warnings and possible health risks of cell phones and wireless devices By sharing the Environmental Health Trusts 10 Steps to Safe Tech and Doctors Advice on Cell Phones Brochure in City health fairs and city centers.2. Through the city Clerk Office with approval from the City Council To send the FCC Chairman a

letter<<http://nebula.wsimg.com/9ee95b6704301ecd7c9baea1ac5a4691?AccessKeyId=C501C49FC54756FE9C7A&disposition=0&alloworigin=1>> urging the adoption of "radiation standards that will protect human health and safety."

>> * 3. Call upon the Bridgeport Board of Education To oppose cell towers on school grounds and through the city Clerk Office the City Council will write a letter to the local school board opposing such actions presented in the resolution.

>> * 4. Call The Bridgeport Board of Education to err on the side of caution, and adopt a policy in January 2019 prohibiting commercial microwave technology sites and will oppose those proposed for sites adjacent to school boundaries.http://www.oregonlive.com/news/index.ssf/2008/09/west_linnwilsonville_school_bo.htmlhttp://www.oregonlive.com/news/index.ssf/2008/09/west_linnwilsonville_school_bo.html

>> * 5. A 1 year or 365 day moratorium on all permits/applications and building of any and new all cell phone towers, "monopines" and antennas no matter the size in the City of Bridgeport which will give the Ordinance and Safety committee time to write new cell-tower regulations and safety ordinances be in place to protect people who live in the City of Bridgeport and without defying the moral code of most real "persons" according to the conclusion of the Environmental Protection Agency Administrator for New England Region (Region I) to perform the appropriate research and experimentation to determine the effects of non-ionizing radiation on the health, of not only adults, but children who are the most vulnerable and, if appropriate, establish a safe level of exposure. As it stands the current state cell tower regulations are outdated and insufficient to deal with modern laws and equipment. This moratorium blocks

permitting of new wireless communications towers, antennae, "monopines," between now to January 19, 2020. The Ordinance Committee and Safety Committee hopes to adopt a master plan regulating where and how cell towers are built. What we should have through this proper resolution is an opportunity, real opportunities, for the public to participate both in the structuring of the final ordinance, and during the siting of different towers.

>>

>> Karen Jackson

>> CC

>> District 138th

Item# *07-18 Consent Calendar

Amendment to the Municipal Code of Ordinances, amend Chapter 8.20 – Food and Food Establishments.



**Report
of
Committee
on
Ordinances**

City Council Meeting Date: January 7, 2019

Attest: *Lydia N. Martinez*
Lydia N. Martinez, City Clerk

Approved by: _____
Joseph P. Ganim, Mayor

Date Signed: _____

Clerk's Note: Report returned without Mayor's signature.

ATTEST
CITY CLERK
RECEIVED
CITY CLERKS OFFICE
19 JAN 28 PM 1: 15



City of Bridgeport, Connecticut

Office of the City Clerk

To the City Council of the City of Bridgeport:

The Committee on **Ordinances** begs leave to report; and recommends for adoption the following resolution:

Item No. *07-18 Consent Calendar

**A Resolution by the
Bridgeport City Council
Regarding the
City of Bridgeport
Department of Health and Social Services
Amendment to Municipal Code
Chapter 8.20 Food and Food Establishment**

WHEREAS, the State of Connecticut Department passed Public Act 17-93 (P.A. 17-93) in June 2017 that included language enabling the adoption of the FDA Food Code by July 1, 2018, which deadline was later extended to January 1, 2019 by Bill 5163 *An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes*;

WHEREAS, P.A. 17-93 included new definitions applicable to food regulations, a licensing requirement for all food establishments, a registration requirement for all food establishments, a requirement for certified food protection managers in Class 2, 3, and 4 food establishments, revised food establishment classifications and inspection intervals, revised food inspector certification requirements, and other changes; and

WHEREAS, local health departments are required to take the necessary steps to make changes to any local ordinances or requirements that may be impacted by P.A. 17-93;

WHEREAS, to the extent that the Bridgeport Municipal Code was not consistent with the requirements of the new FDA Food Code and P.A. 17-93, the City, acting through the Department of Health and Social Services, hereby seeks to amend Chapter 8.20 Food and Food Establishments to comport with the State requirements; and

WHEREAS, the Department of Health and Social Services also utilized this opportunity to codify Health Department practices and requirements not previously addressed in the City's food and food establishment ordinance.

NOW THEREFORE BE IT ORDAINED: By the City Council for the City of Bridgeport that the Bridgeport Municipal Code of Ordinances, Chapter 8.20 – Food and Food Establishment is hereby rescinded and the following Chapter 8.20 – Food and Food Establishment be substituted in lieu thereof:



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on **Ordinances**
Item No. *07-18 Consent Calendar

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Chapter 8.20 - FOOD AND FOOD ESTABLISHMENTS

Article I. - In General

8.20.010 – Purpose.

This chapter shall be liberally construed and applied to promote its underlying purpose of protecting the public health.

8.20.020 – Definitions. For the purpose of this chapter:

APPROVED - Acceptable to the Director of Health & Social Services based on a determination as to conformance with the requirements of this chapter and the FDA Food Code adopted by the State of Connecticut, and/or good public health practices.

AUTHORIZED AGENT - A person designated by the Director of Health and Social Services to act for her in the performance of any of her duties. For any person to be designated by the Director of Health to act for her in the enforcement of this chapter, said designee must also be currently certified as a certified food inspector by the Commissioner of Health Services.

CATERING FOOD SERVICE ESTABLISHMENT means a business that is involved in the (A) sale or distribution of food and drink prepared in bulk in one geographic location for retail service in individual portions in another location, or (B) preparation and service of food in a public or private venue that is not under the ownership or control of the operator of such business.

CERTIFIED FOOD PROTECTION MANAGER means a food employee that has supervisory and management responsibility and the authority to direct and control food preparation and service.

COLD HOLDING means maintained at a temperature of forty-one degrees Fahrenheit or below.

COMMISSARY - A catering establishment, restaurant, or other fixed food establishment in which food is kept, handled, processed, prepared, packaged or stored with the intent of causing this food to be transported elsewhere for service.

DIRECTOR OF HEALTH - The Director of Health and Social Services for the City of Bridgeport or her authorized agent.

FOOD - Any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.



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FOOD-BORNE ILLNESS means illness, including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, salmonellosis, shigellosis, Clostridium perfringens intoxication and hepatitis A, acquired through the ingestion of a common-source food or water contaminated with a chemical, infectious agent or the toxic products of a chemical or infectious agent.

FOOD-BORNE OUTBREAK means illness, including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, salmonellosis, shigellosis, Clostridium perfringens intoxication and hepatitis A, in two or more individuals, acquired through the ingestion of common-source food or water contaminated with a chemical, infectious agent or the toxic products of a chemical or infectious agent.

FOOD ESTABLISHMENT -"Food establishment" means an operation that:

- (a) stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and
- (b) relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

"Food establishment" includes:

- (a) An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the Department of Health & Social Services; and
- (b) An operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the Premises; and regardless of whether there is a charge for the Food.

"Food establishment" does not include:

- (a) An establishment that offers only prepackaged foods that are not time/temperature control for safety foods;
- (b) A produce stand that only offers whole, uncut fresh fruits and vegetables;



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- (c) A food processing plant; including those that are located on the premises of a food establishment
- (d) A kitchen in a private home if only food that is not time/temperature control for safety food, is prepared for sale or service at a function such as a religious or charitable organization's bake sale if allowed by law and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the Department of Health & Social Services;

Classes of Food Establishments:

"Class 1 food establishment" means a retail food establishment that does not serve a population that is highly susceptible to foodborne illnesses and only offers (A) commercially packaged processed food that (i) is time or temperature controlled for safety and may be heated for hot holding, but (ii) is not permitted to be cooled, or (B) food prepared in the establishment that is not time or temperature controlled for safety.

Examples:

- Coffee shops that do not prepare any TCS foods. May prepare non-TCS baked goods
- Ice cream shops (may also prepare and bake non-TCS foods for use
- Gas stations such as 7-Eleven, Cumberland Farms, etc. that only heat commercially prepackaged TCS foods for hot holding or cold-hold TCS foods, such as commercially prepackaged fully cooked breakfast sandwiches or burgers

"Class 2 food establishment" means a retail food establishment that does not serve a population that is highly susceptible to food-borne illnesses and offers a limited menu of food that is prepared, cooked and served immediately, or that prepares and cooks food that is time or temperature controlled for safety and may require hot or cold holding, but that does not involve cooling;

Examples:

- Fast food restaurants, i.e. McDonald's, Dunkin Donuts, Taco Bell, Burger King, Wendy's, etc., if they do not cool and reheat TCS foods such as chili, soup or meatballs
- Gas stations that heat bulk TCS foods for hot holding, i.e. hot dog rollers, nachos with cheese, etc.



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Office of the City Clerk

Report of Committee on Ordinances
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- Deli preparing hot or cold sandwiches and does not cool food at the end of the day
- Schools (not including preschool facilities) if they do not cool foods

"Class 3 food establishment" means a retail food establishment that (A) does not serve a population that is highly susceptible to food-borne illnesses, and (B) has an extensive menu of foods, many of which are time or temperature controlled for safety and require complex preparation, including, but not limited to, handling of raw ingredients, cooking, cooling and reheating for hot holding;

Examples:

- Fast food restaurants if they cool and reheat TCS foods
- Full-service restaurants, caterers, itinerant vendors, grocery stores that use complex processes (cook foods for later service, including same day service and reheating processes)
- Schools (not including preschool facilities) that cool and reheat foods

"Class 4 food establishment" means a retail food establishment that serves a population that is highly susceptible to food-borne illnesses, including, but not limited to, preschool students, hospital patients and nursing home patients or residents, or that conducts specialized food processes, including but not limited to, smoking, curing or reduced oxygen packaging for the purposes of extending the shelf life of the food.

FOOD PROCESSING ESTABLISHMENT - An establishment in which food is manufactured and packaged for human consumption elsewhere off the premises.

FOOD SERVICE ESTABLISHMENT - Any place where food is prepared and intended for individual portion service. This term includes, but is not limited to, restaurants, cafeterias, luncheonettes, delicatessens and sandwich shops that offer prepared food in individual service portions. The term does not include private homes where food is prepared or served for individual family consumption.

HACCP Plan – means a written document that delineates the formal procedures for following the Hazard Analysis and Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

HOT HOLDING means maintained at a temperature of one hundred thirty-five degrees Fahrenheit or above.



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IMMINENT HEALTH HAZARD – means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on:

- (1) The number of potential injuries, and
- (2) The nature, severity, and duration of the anticipated injury.

ITINERANT FOOD VENDING FACILITY - A vehicle-mounted food service establishment designed to be readily movable and to have food dispensed outside the facility. For the purposes of this chapter, a pushcart shall be considered an itinerant food vending facility.

PACKAGED - Bottled, canned, cartoned, or securely wrapped.

PERMIT HOLDER – means the entity that: (1) is legally responsible for the operation of the food establishment such as the owner, the owner's agent, or other person; and (2) possesses a valid permit to operate a food establishment.

PERSON IN CHARGE - The individual present at a food establishment who is responsible for the operation at the time of inspection.

PRIORITY ITEM

- (1) "Priority item" means a provision in this Code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazard associated with foodborn illness or injury and there is no other provision that more directly controls the hazard; and
- (2) "Priority item" includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, handwashing.

PRIORITY FOUNDATION ITEM

- (1) "Priority foundation item" means a provision in this Code whose application supports, facilitates or enables one or more Priority Items; and
- (2) "Priority foundation item" includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling.



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TIME/TEMPERATURE CONTROL FOR SAFETY FOOD (formerly "POTENTIALLY HAZARDOUS FOOD").

- (1) "Time/temperature control for safety food" means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.
- (2) "Time/temperature control for safety food" includes:
 - a. An animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes that re not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation, or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation.

REGULATORY AUTHORITY – Bridgeport Department of Health and Social Services.

RETAIL GROCERY (also referred to herein as a "Food Dealer") - Any establishment or section of an establishment where food and food products are offered to the consumer and intended for off-premises consumption. The term includes delicatessens that offer prepared food in bulk quantities only.

TEMPORARY FOOD SERVICE ESTABLISHMENT means a food establishment that operates for a period of not more than fourteen consecutive days in conjunction with a single event or celebration.

VARIANCE means a written document issued by the commissioner that authorizes a modification or waiver of one or more requirements of the food code.

Sec. 8.20.030 – License Required.

No person, firm or corporation shall operate or maintain any food establishment where food or beverages are served or sold to the public in the City of Bridgeport without obtaining a valid permit or license to operate from the Director of Health and Social Services, in a form and manner prescribed by the said Director. The Director of Health and Social Services shall issue a permit or license to operate a food establishment upon receipt of an application if the food establishment meets the requirements of this section. All food establishments shall comply with the food code. See also 8.20.480 – Issuance of Licenses.



City of Bridgeport, Connecticut

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Sec. 8.20.040 – Inspection Required.

All food establishments shall be inspected by a certified food inspector in a form and manner prescribed by the commissioner. The Commissioner of Public Health may, in consultation with the Commissioner of Consumer Protection, grant a variance for the requirements of the food code if the Commissioner of Public Health determines that such variance would not result in a health hazard or nuisance. See also Sec. 8.20.490 – Inspection of Premises.

Sec. 8.20.050 – Registration with the State Department of Public Health Required.

No permit to operate a food establishment shall be issued by a director of health unless the applicant has provided the director of health with proof of registration with the State of Connecticut Department of Public Health and a written application for a permit in a form and manner prescribed by said department. Temporary food establishments and certified farmers' markets, as defined in section 22-6r of the Conn. Gen. Statutes, as amended by P.A. 17-93, shall be exempt from registering with the Department of Public Health.

Sec. 8.20.060 – Soup kitchens and community food distribution.

The provisions of this Chapter with respect to the requirement of employing a qualified food operator and/or a certified food manager and any reporting requirements relative to such operator and/or manager, shall not apply to an owner or operator of a soup kitchen who relies exclusively on services provided by volunteers, and (B) shall not prohibit the sale or distribution of food at a noncommercial function such as an educational, religious, political or charitable organization's bake sale or potluck supper provided the seller or person distributing such food maintains such food under the temperature, pH level and water activity level conditions that will inhibit the rapid and progressive growth of infectious or toxigenic microorganisms. For the purposes of this section, a "noncommercial function" means a function where food is sold or distributed by a person not regularly engaged in the for profit business of selling such food

Sec. 8.20.070 – Previously existing violations.

This chapter shall not affect violations of any other ordinance, code or regulation existing prior to the effective date hereof. Any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of the ordinances, codes or regulations in effect at the time the violation was committed.



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Sec. 8.20.080 – Conflict of regulations.

In any case where a provision of this chapter is found to be in conflict with a regulation of the Connecticut State Department of Health Services and/or the Department of Consumer Protection existing on the effective date of this chapter, the provision which establishes the higher standard for the promotion and protection of the health and safety of people shall prevail.

Sec. 8.20.090 - Requirements for existing facilities.

A. New building facilities and new equipment for which contractual obligations are incurred before the effective date of this chapter, and which are not installed within 60 days of said date, shall be acceptable only if they are in compliance with the requirements of this chapter and/or conform with the design and fabrication standards of the National Sanitation Foundation, whichever establish the higher standard.

B. Building facilities and equipment in use before the effective date of this chapter, which do not meet fully all of the requirements of this chapter, shall be acceptable if they are in good repair, capable of being maintained in a sanitary condition, and the food-contact surface (if any) are nontoxic.

Sec. 8.20.100 - Food protection; emergency occurrences.

In the anticipation or the occurrences of a fire, flood, power outage or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at required temperatures, the Person in Charge of a food establishment shall contact the Director of Health within two hours of first notice. If said notice is received at a time when the Health Department does not normally conduct regular business, the Person in Charge shall notify the police dispatcher, who shall continue to make all reasonable efforts to contact the Director of Health.

Sec. 8.20.110 - Personnel; employee health.

No Permit Holder or Person in Charge shall permit any person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, or an acute respiratory infection, to work in a food establishment unless specifically authorized by the Director of Health.



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Sec. 8.20.120 – Temporary food establishments.

A. Generally. A temporary food establishment shall comply with the requirements of this chapter, Public Act No. 17-93 and the Public Health Code of the State of Connecticut, except as otherwise provided in this chapter. The Director of Health or her authorized agent may impose additional requirements to protect against health hazards related to the conduct of the temporary food establishment; may prohibit the sale of some or all potentially hazardous foods; and when no health hazard will result, may waive or modify requirements of this chapter.

Sec. 8.20.130 – Refuse containers.

- A. Mass storage receptacles or containers which are used to store garbage or other waste material shall comply with the following criteria:
- (1) Containers must be situated on a minimum of a four-inch concrete pad with proper drainage, unless otherwise approved by the Director of Health, and such surfaces must be kept free of all garbage, litter and other refuse material.
 - (2) Containers must be maintained in a clean and sanitary condition acceptable to the Director of Health.
 - (3) Containers must be structurally sound and watertight so as to prohibit leakage of contents, and also be rodent-proof and insect-proof.
 - (4) Containers must have tight-fitting lids which are kept closed at all times, which locking devices when so ordered by the Director of Health.
 - (5) Containers must have sufficient capacity to meet the needs of the establishment or facility that is using the receptacle.
 - (6) Containers must be enclosed with chain link fencing equipped with privacy slats.
- B. Food service establishments must take all practical measures to minimize the odor and noise affecting surrounding premises, and to protect their health and safety, including the routine cleaning and sanitizing of containers and surrounding areas, preventing overflow of receptacles, and keeping lids closed at all times.



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C. Any food service establishment that violates the provisions of this section shall be subject to a fine of one hundred dollars (\$100.00) for each day that the violation is documented to occur by the Bridgeport Health Department.

Article II – Class 1 Food Establishments

8.20.140 – Class 1 Food Establishment.

No person shall maintain or operate within the city any cafe, club, tavern or soda fountain where any beverage of any kind is served at retail for consumption on the premises unless licensed by the Director of Health and Social Services.

8.20.150 –Application.

Application for a license shall be made to the Director of Health and Social Services upon such forms as she shall prescribe.

8.20.160 - Class 1 Food Establishment license—Inspection of premises prerequisite to issuance.

No Class 1 Food Establishment license shall be issued until the Director of Health and Social Services or her duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of such proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.

8.20.170 - Class 1 Food Establishment license—Fee.

A. The annual fee for each Class 1 Food Establishment license shall be payable by January 1st each year as follows:

<u>Seating Capacity</u>	<u>Fee</u>
<u>0-50</u>	<u>\$230.00</u>
<u>51-100</u>	<u>\$290.00</u>
<u>100+</u>	<u>\$425.00</u>



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B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to the following:

<u>Seating Capacity</u>	<u>Fee</u>
<u>0-50</u>	<u>\$330.00</u>
<u>51-100</u>	<u>\$390.00</u>
<u>100+</u>	<u>\$525.00</u>

8.20.180 - Class 1 Food Establishment license—Expiration.

The Class I Food Establishment license shall expire on the thirty-first day of December in each year.

8.20.190 - Milk licenses—Required.

The following classes of licenses shall be issued by the Department of Health and Social Services under the provisions of this section:

A. A dealer's license which shall permit of the pasteurization or bottling of milk and the sale or distribution of the milk so pasteurized or bottled by the licensee:

B. A subdealer's license which shall permit the retail sale or distribution of milk other than by the holder of a dealer's license or a store milk license; and a store milk license which shall permit of the retail sale, by any store or other business establishment of milk which is not to be consumed on the premises of the licensee.

8.20.200 - Milk licenses—Fees.

A. The annual fee for a milk dealer's license shall be one hundred fifteen dollars (\$115.00) payable by January 1st each year.

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to two hundred thirty dollars (\$230.00).



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Article III. - Class 2, Class 3 and Class 4 Food Establishments

8.20.210 – Generally.

Each class 2 food establishment, class 3 food establishment and class 4 food establishment shall employ a certified food protection manager. No person shall serve as a certified food protection manager unless such person has satisfactorily passed a test as part of a food protection manager certification program that is evaluated and approved by an accrediting agency recognized by the Conference for Food Protection as conforming to its standards for accreditation of food protection manager certification programs. A certified food inspector shall verify that the food protection manager is certified upon inspection of the food establishment.

8.20.220 - License—Required.

No person shall engage in the operation of any restaurant in the city without a Food Establishment license issued by the Department of Health and Social Services.

8.20.230 - License—Application—Term.

Application for a Food Establishment license shall be made to the Department of Health and Social Services upon such forms as it shall prescribe. Each license shall expire upon the thirty-first day of December in each year.

8.20.240 - License—Inspection of premises and facilities prerequisite to issuance.

No Food Establishment license shall be issued until the Director of Health and Social Services or her duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of the proposed licensee accord with proper standards for sanitation and conform to state and city sanitary laws, ordinances and regulations.



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8.20.250 - License—Fee.

A. The annual fee for a Food Establishment license shall be payable by January 1st of each year as follows:

Restaurants

<u>Seating Capacity</u>	
<u>0-50</u>	<u>\$230.00</u>
<u>51-100</u>	<u>\$290.00</u>
<u>100+</u>	<u>\$425.00</u>

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to the following:

Restaurants

<u>Seating Capacity</u>	
<u>0-50</u>	<u>\$330.00</u>
<u>51-100</u>	<u>\$390.00</u>
<u>100+</u>	<u>\$525.00</u>



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8.20.260 - Utensils—Cleaning generally.

All multiuse eating and drinking utensils must be thoroughly cleaned and effectively sanitized:

- A. With a properly operating dishwashing machine whose plumbing complies with all city plumbing ordinances and is so designed and installed as to prevent contamination of the water supply through interconnections and back-siphonage. Every dishwashing machine must be kept clean. Its pumps and the wash and rinse sprays or jets must direct a forceful stream of water that will reach all of the utensils when they are properly racked. Its wash tank water must be changed during operation as often as is found necessary to keep it reasonably clean. Each dishwashing machine must be provided with:
- (1) A properly operating automatic detergent dispenser which will maintain at all times an effective concentration of detergent;
 - (2) Thermostatic control of the temperature of the wash water as well as that of the rinse water. The wash water temperature must be one hundred twenty (120) degrees Fahrenheit and the rinse water temperature must be one hundred eighty (180) degrees Fahrenheit;
 - (3) Thermometers in both the wash and rinse waterlines and in such a location as to be readily visible. Adequate hot water heating and storage facilities must be available.
- B. With a three-compartment sink. Each sink must be of a size sufficient for its use and have its own supply of running hot and cold water. The first sink must be used for washing temperature of the wash solution shall be maintained at not less than one hundred ten (110) degrees Fahrenheit, the second sink must be used for plain rinsing and the third sink must be used for immersion in a chemical sanitizer. All washed and rinsed multiuse eating and drinking utensils must remain immersed in the chemical sanitizers solution for at least two minutes. The chemical sanitizer used must meet with the approval of the Director of Health and Social Services. The chemical sanitizer solution in the third sink must be of sterilization strength and so maintained at all times.
- C. Any other method approved by the Director of Health and Social Services.



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8.20.270 - Utensils—Air-drying after sanitization.

All multiuse eating and drinking utensils must be air-dried following sanitizing.

8.20.280 - Utensils—Each cleaning location to meet requirements of Section 8.20.400.

Any place where food and beverages are served to the public that has more than one location within the establishment where multiuse eating and drinking utensils are washed must meet the requirements of Section 8.20.450 by one of the aforesaid methods at each such location.

8.20.290 - Utensils—Storage after sanitization.

After sanitization, utensils, cookingware and serviceware shall be stored in a clean, dry place, protected from flies, dust and other contamination and shall be handled in such a manner as to prevent contamination insofar as practicable.

8.20.300 - Utensils—Single service.

Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used and shall be handled in a sanitary manner. Drinking straws, toothpicks, crackers, mints and/or candy shall be wrapped with a sanitary protective covering for individual use.

8.20.310 - Sugar containers.

All sugar served to the public must meet one of the following requirements:

- A. Shall be in tablet form, and each tablet shall be wrapped with a sanitary protective covering for individual use;
- B. Shall be in individually sealed packets;
- C. Shall be poured from a suitable glass container with a tight-fitting metal or plastic cover equipped with a pouring spout which shall have a self-sealing cover.

8.20.320 - Refrigeration of dairy products.

No dairy products for public consumption shall be allowed to remain unrefrigerated when not in use.



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Article IV – Retail Grocery

8.20.330 - License—Required.

No grocery store, bakery, meat market or other establishment selling food or any other substances used or intended to be used for human consumption off the premises shall be maintained in the city unless licensed by the Director of Health and Social Services.

8.20.340 - License—Fee.

A. The annual fee shall be charged for such license payable by July 1st of each year as follows:

Retail Groceries

<u>Area in Square feet</u>	
<u>0-2500</u>	<u>\$300.00</u>
<u>2500+</u>	<u>\$400.00</u>

B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before July 1st, the license fee shall increase to the following:

Retail Grocery

<u>Area in Square feet</u>	
<u>0-2500</u>	<u>\$400.00</u>
<u>2500+</u>	<u>\$500.00</u>



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8.20.350 - Prima facie proof of intent to sell for consumption.

Any meat, fish, vegetable, milk or other food in the possession of or held or kept by a food dealer on the premises where such food dealer conducts his business shall, prima facie, be deemed to be possessed, held or kept with intent to sell for human consumption.

8.20.360 - Condemnation of unfit food or drink.

Any meat, fish, poultry, vegetable or milk or other food or drink found by the Director of Health and Social Services in a condition which renders it unfit for use as human food shall be condemned and caused to be denatured and may be destroyed or removed.

8.20.370 - Possession of unfit food or drink with intent to sell prohibited.

No person shall sell, offer or exhibit for sale, or have in his possession, charge or control with intent to sell, any meat, fish, vegetable, milk or any article of human food or drink, either raw, manufactured or otherwise prepared, which is putrid, decayed, infected, contaminated or unwholesome for human consumption, or has been condemned by the Director of Health and Social Services.

8.20.380 - Allowing animals to enter premises prohibited.

No food dealer shall permit any dog or other animal to enter any premises where food is sold.

8.20.390 - Protection from dust, animals, etc., required.

No food, other than fruits and vegetables, shall be kept, sold, offered for sale, displayed or transported unless protected from dust, dirt, flies, animals and other contamination.

8.20.400 - Sale of defrosted frozen foods restricted.

No frozen foods which are designed to be continuously frozen to point of sale shall be sold if it has been allowed to defrost or partially defrost shall thereafter be sold with the exception of frozen baked goods.



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8.20.410 - Wrapping of food products.

Wrapping of food products in other than sanitary wrappings or containers is prohibited.

8.20.420 - Screens required.

All doors, windows and transoms opening to the outer air from stores where food is sold shall be screened from the first day of April until the last day of November. All such screened doors must open outward and be self-closing. Any other method for the exclusion of flies which is approved by the Director of Health and Social Services may be substituted for the use of screening.

8.20.430 - Transportation of meats.

No person shall carry, convey or haul through or upon the public streets of the city any fresh meats of any kind for resale unless such meat is properly protected from dust by a suitable covering or in a closed truck or like vehicle, kept in a sanitary condition. No boned, cut or separate cuts of meat too small to bear an inspection stamp shall be delivered to any market for resale in the city. No meats shall be delivered to markets in vehicles used for any other purpose except in containers approved by the Director of Health and Social Services.

8.20.440 - Sanitary facilities.

All establishments where food or meat is processed, manufactured or sold shall be provided with toilet and hand-washing facilities of a type approved by the Director of Health and Social Services.

8.20.450 - Equipment sanitation, temperature requirements.

- A. No person shall keep any article intended for sale for human consumption in any receptacle or container that is in an unclean or insanitary condition. All perishable food and drink shall be kept at or below forty-one (41) degrees Fahrenheit.
- B. All utensils and equipment used in the processing or handling of food or meat in any establishment where food or meat is processed, manufactured or sold shall be kept in a clean and sanitary condition. Facilities for the cleansing and bactericidal treatment of utensils and equipment shall be of a type approved by the Director of Health and Social Services.



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8.20.460 - Employee sanitation requirements.

Persons employed in any establishment where food or meat is processed, manufactured or sold shall wear clean washable outer garments and shall keep their hands and fingernails clean at all times while engaged in handling food, drink, utensils or equipment. No employee shall return from a toilet room without washing his hands, and notice of this requirement shall be posted in each employee's toilet room.

8.20.470 - Required materials for bakeries' floors.

The floors of all bakeries in which food is prepared or utensils are washed shall be of concrete, terrazzo, ceramic tile, hardwood or equal.

8.20.480 - Materials for walls of bakeries licensed originally after March 22, 1960.

In the case of a bakery licensed after March 22, 1960, for the first time, the washable surface for walls to the splash level of all rooms in which food is prepared or utensils are washed shall be of ceramic tile, glazed tile, plastic tile and/or equal.

Article V – Compliance Procedures.

8.20.490 – Generally.

- A. No person shall operate a food establishment who does not have a valid license issued to him by the Director of Health and Social Services.
- B. Only a person who complies with the requirements of this chapter and the Public Health Code of the State of Connecticut shall be entitled to receive and retain such a license. Licenses shall not be transferable from one person to another person, from one location to another location, or from one vehicle to another vehicle. All licenses shall expire on the last day of February of each year.
- C. The operator of every food establishment shall keep a valid license posted in a conspicuous place near the public entrance of the establishment, and it shall be posted in such a manner so as to be visible to the patrons of the establishment and protected against defacement or damage.



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8.20.500 - Issuance of Licenses

- A. Any person who continues to operate, or who desires to operate, a food establishment shall make written application for a license on forms provided by the Director of Health. Such application shall include the full name, address and telephone number of both the owner and operator of the establishment, the location and type of the food establishment, the signature of each owner and operator, a statement signed by the tax collector certifying that all taxes levied by the City of Bridgeport against personal property used or to be used in said food establishment have been paid, and such other pertinent information as the Director of Health may require. If the application is for a temporary food establishment, it shall also include the dates of the operation.
- B. Prior to approval of an application for a license, the Director of Health shall inspect the food establishment to determine compliance with the requirements of this chapter and the Public Health Code of the State of Connecticut.
- C. The Director of Health will issue a license to the applicant if the inspection reveals that the food establishment complies with the requirements of this chapter and the Public Health Code of the State of Connecticut.

8.20.510 – Inspection of premises.

Dealers in food and all other substances used or intended to be used for human consumption, and their agents, and all persons engaged in the transportation thereof shall permit the Director of Health to freely and fully inspect the premises and all parts of the establishment, and all cattle, meat, fish, vegetables, milk and other food, and all other substances used or intended to be used for human consumption, and all utensils and equipment of the establishment.

Prior to the issuance of a license and periodically thereafter, the Director of Health shall visit every food establishment within the City of Bridgeport to make as many inspections as are necessary for the enforcement of this article and the FDA Food Code adopted by the State of Connecticut. The Director of Health shall have access to all parts of the establishments to determine compliance with the requirements of this article and the FDA Food Code, and shall be permitted to examine all records of foods purchased or received. Such inspections shall be performed during business hours, whenever possible, or at any reasonable time upon the request of the Director of Health.



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A. Frequency

(1) Establishing Inspection Interval.

- a. Except as specified in subsection (b) and (c) of this Section, the Regulatory Authority shall inspect a Food Establishment at least once every six (6) months.
- b. The Regulatory Authority may increase the interval between inspections beyond 6 months if:
 - i. The Food Establishment is fully operating under an approved and validated HACCP Plan
 - ii. The Food Establishment is assigned a less frequent inspection frequency based on a written risk-based inspection schedule that is being uniformly applied throughout the City and at least once every six (6) months the establishment is contacted by telephone or other means by the Regulatory Authority to ensure that the establishment manager and the nature of Food operation are not changed; or
 - iii. The establishment's operation involves only coffee service and other unpackaged or prepackaged food that is not Time/Temperature Control for Safety Food such as carbonated beverages and snack food such as chips, nuts, popcorn, and pretzels.
- c. The Regulatory Authority shall periodically inspect throughout its permit period a Temporary Food Vendor that prepares, sells, or serves unpackaged Time/Temperature Control for Safety Food and that:
 - i. Has improvised rather than permanent facilities or equipment for accomplishing functions such as handwashing, food preparation and protection, food temperature control, warewashing, providing drinking water, waste retention and disposal, and insect and rodent control; or
 - ii. Has inexperienced food employees.



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(2) Performance-Based and Risk-Based.

- a. The Regulatory Authority shall prioritize, and conduct more frequent inspections based upon its assessment of a Food Establishment's history of compliance with this Ordinance and the food establishment's potential as a vector of foodborne illness by evaluating:
 - i. Past performance, for nonconformance with Code or HACCP Plan requirements that are Priority Items or Priority Foundation Items;
 - ii. Past performance, for numerous or repeat violations of Code or HACCP Plan requirements that are core items
 - iii. Past performance, for complaints investigated and found to be valid
 - iv. The hazards associated with the particular foods that are prepared, stored, or served;
 - v. The type of operation including the methods and extent of food storage, preparation, and service;
 - vi. The number of people served; and
 - vii. Whether the population served is a highly susceptible population.

B. Access.

- (1) Allowed at Reasonable Times after Due Notice. After the Regulatory Authority presents official credentials and provides notice of the purpose of, and an intent to conduct, an inspection, the Person in Charge shall allow the Regulatory Authority to determine if the Food Establishment is in compliance with this Code by allowing access to the establishment, allowing inspection, and providing information and records specified in this Code and to which the Regulatory Authority is entitled according to law, during the Food Establishment's hours of operation and other reasonable times.
- (2) Refusal, Notification of Right to Access, and Final Request for Access. If a Person denies access to the Regulatory Authority, the Regulatory Authority shall:



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- a. Inform the Person that:
 - i. The Permit Holder is required to allow access to the Regulatory Authority as specified in Subsection 1 of this Section B,
 - ii. Access is a condition of the acceptance and retention of a food establishment permit to operate, and
 - iii. If access is denied, an order issued by the appropriate authority allowing access, hereinafter referred to as an inspection order, may be obtained according to law and
 - b. Make a final request for access.
- (3) **Refusal, Reporting.** If after the Regulatory Authority presents credentials and provides notice, explains the authority upon which access is requested, and makes a final request for access, the Person In Charge continues to refuse access, the Regulatory Authority shall provide details of the denial of access on an inspection report form.
 - (4) **Inspection Order to Gain Access.** If denied access to a Food Establishment for an authorized purpose and after complying with subsection 2 of this section, the Regulatory Authority may issue, or apply for the issuance of, an inspection order to gain access as provided in law.
- C. Report of Findings.
- (1) **Documenting Information and Observations.** The Regulatory Authority shall document on an inspection form:
 - a. Administrative information about the Food Establishment's legal identity, street and mailing addresses, type of establishment and operation, inspection date, and other information such as type of water supply and sewage disposal, status of the Permit, and personnel certificates that may be required; and
 - b. Specific factual observations of violative conditions or other deviations from this Code that require correction by the Permit Holder including:



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- i. Failure of the Person in Charge to demonstrate the knowledge of foodborne illness prevention, application of HACCP principles, and the requirements of this Code,
 - ii. Failure of food employees, conditional employees, and the Person in Charge to report a disease or medical condition,
 - iii. Nonconformance with Priority Items or Priority Foundation Items,
 - iv. Failure of the appropriate food employees to demonstrate their knowledge of, and ability to perform in accordance with, the procedural, monitoring, verification, and corrective action practices required by the Regulatory Authority
 - v. Failure of the Person in Charge to provide records required by the Regulatory Authority for determining conformance with a HACCP Plan, and
 - vi. Nonconformance with critical limits of a HACCP PLAN
- (2) **Specifying Time Frame for Corrections.** The Regulatory Authority shall specify on the inspection report form the time frame for correction of the violations.
- (3) **Issuing Report and Obtaining Acknowledgement of Receipt.** At the conclusion of the inspection and according to law, the Regulatory Authority shall provide a copy of the completed inspection report and the notice to correct violations to the Permit Holder or the Person in Charge, and request a signed acknowledgment of receipt.
- (4) **Refusal to Sign Acknowledgement.** The Regulatory Authority shall:
- a. Inform a Person who declines to sign an acknowledgment of receipt of inspectional findings that:
 - i. An acknowledgement of receipt is not an agreement with the findings,
 - ii. Refusal to sign an acknowledgement of receipt will not affect the Permit Holder's obligation to correct the violations noted in the inspection report within the time frames specified, and



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- iii. A refusal to sign an acknowledgement of receipt is noted in the inspection report and conveyed to the Regulatory Authority's historical record for the food establishment; and
- b. Make a final request that the Person in Charge sign an acknowledgement receipt of inspectional findings.

D. Imminent Health Hazard

(1) Ceasing Operations and Reporting.

- a. Excepted as specified in Section b of this section, a Permit Holder shall immediately discontinue operations and notify the Regulatory Authority if an Imminent Health Hazard may exist because of an emergency such as fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health.
- b. A Permit Holder need not discontinue operations in an area of an establishment that is unaffected by the Imminent Health Hazard.

- (2) Resumption of Operations. If operations are discontinued as specified under subsection 1 of this section or otherwise according to law, the Permit Holder shall obtain approval from the Regulatory Authority before resuming operations.

E. Violation of Priority Item or Priority Foundation Item.

(1) Timely Corrections

- a. Except as specified in subsection 2 of this section, a Permit Holder shall at the time of inspection correct a violation of a Priority Item or Priority Foundation Item of this Code and implement corrective actions for a HACCP Plan provision that is not in compliance with its Critical Limit.
- b. Considering the nature of the potential hazard involved and the complexity of the corrective action needed, the Regulatory Authority may agree to or specify a longer time frame, not to exceed:



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- i. 72 hours after the inspection, for the Permit Holder to correct violations of a Priority Item; or
- ii. 10 calendar days after the inspection, for the Permit Holder to correct violations of a priority item

(2) Verification and Documentation of Correction.

- a. After observing at the time of inspection a correction of a violation of a Priority Item or Priority Foundation Item or a HACCP Plan deviation, the Regulatory Authority shall enter the violation and information about the corrective action on the inspection report.
- b. After receiving notification that the Permit Holder has corrected a violation of a Priority Item or Priority Foundation Item or HACCP Plan deviation, or at the end of the specified period of time, the Regulatory Authority shall verify correction of the violation, document the information on an inspection report, and enter the report in the Regulatory Authority's records.

F. Core Item Violations.

- (1) Except as specified in paragraph 2 of this section, the Permit Holder shall correct core items by a date and time agreed to or specified by the Regulatory Authority but no later than 90 calendar days after the inspection
- (2) The Regulatory Authority may approve a compliance schedule that extends beyond the time limits specified under paragraph 1 of this section if a written schedule of compliance is submitted by the Permit Holder and no health hazard exists or will result from allowing an extended schedule for compliance.

8.20.520 · Examination, hold order and condemnation of food.

A. Examination. Food may be examined or sampled by the Director of Health as often as necessary for enforcement of this article, Public Act No. 17-93 or the Public Health Code of the State of Connecticut.



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B. Hold order. The Director of Health may, upon written notice to the Permit Holder or Person in Charge specifying with particularity the reason(s) therefor, place a hold order on any food or beverage which she believes is adulterated or otherwise unfit for human consumption. The Director of Health shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The Director of Health shall direct storage of the food under conditions specified in the hold order without risk to the public health. The hold order shall state that a request for hearing may be filed with the Director of Health within 48 hours, and that if no hearing is requested, the food shall be destroyed. Within 48 hours following receipt of a request for a hearing, the Director of Health shall hold a hearing. On the basis of evidence produced at that hearing, the hold order may be rescinded or the Permit Holder or Person in Charge of the food may be directed, by written order, to denature or destroy such food or to bring it into compliance with the provisions of this chapter, Public Act No. 17-93 or the Public Health Code of the State of Connecticut.

C. Condemnation. Food shall be subject to immediate condemnation by the Director of Health when it is found to be unfit for human consumption by reason of the appearance or odor of decomposition, adulteration, or by having been contaminated by exposure to water, smoke, fire, heat, lack of refrigeration or animal and insect contact. Exposure to nonfood chemicals in solid, liquid, or gaseous forms shall also be grounds for condemnation. Said action of condemnation shall only be used when, in the opinion of the Director of Health, there is substantial risk that the suspected food would otherwise be used for human consumption, or if the Permit Holder agrees in writing as to the grounds for condemnation.

D. Procedure when infection is suspected.

When the Director of Health has reasonable cause to suspect possible disease transmission by an employee of a food establishment, she may secure a medical history of the suspected employee or make any other investigation as needed and shall take appropriate action. The Director of Health may require any or all of the following measures:

- (1) The immediate exclusion of the employee from employment in food establishments;
- (2) The immediate closing of the food establishment concerned until, in her judgment, no further danger of disease outbreak exists;
- (3) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease;



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(4) Adequate medical and laboratory examination of the employee and of other employees and of his and their body discharges.

8.20.530 - Suspension of Licenses.

A. The Director of Health may suspend any license to operate a food establishment if:

(1) The Permit Holder, Person in Charge, or the operation of the establishment itself, does not comply with the requirements of this chapter or the Public Health Code of the State of Connecticut;

(2) The operation of the establishment otherwise constitutes an immediate and substantial hazard to public health;

(3) The Director of Health is interfered with in the performance of her duties;

(4) There is a failure to correct a violation which is continually found and reported on the inspection report form.

B. If the Director of Health finds insanitary or other conditions in the operation of a food establishment which, in her judgment, constitute an immediate and substantial hazard to public health, she will immediately issue a written notice of suspension to the Permit Holder or Person in Charge citing the reasons for such action. Upon service of such notice, the license to operate a food establishment is suspended. When a license is suspended, all operations related to the processing, preparation, storage, transportation, sale or service of food shall cease immediately.

C. Whenever a license is suspended, an opportunity for a hearing will be provided if a written request for a hearing is filed with the Director of Health by the Permit Holder within 48 hours. If no written request for a hearing is filed within 48 hours, the suspension is sustained. The Director of Health may end the suspension at any time if reasons for suspension no longer exist.

D. Upon receiving a request for hearing, the Director of Health shall thereupon immediately examine into the merits of such suspension and may sustain, modify or rescind such suspension. The Permit Holder of an establishment who is aggrieved by such action of the Director of Health may, pursuant to Conn. Gen. Stat. Sect. 19a-229, within 48 hours after the making of such decision, appeal to the Commissioner of Health who shall thereupon immediately notify the authority from whose decision the appeal was taken and examine into the merits of such case and may sustain, modify or rescind such action.



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E. During the process of appeal, the license shall remain suspended. However, the Director of Health may grant a stay upon a showing of good cause.

8.20.540 - Revocation of license.

A. The Director of Health may, after providing opportunity for a hearing, revoke a license for serious or repeated violations of any of the requirements of this chapter or the Public Health Code of the State of Connecticut, or for interference with the Director of Health in the performance of her duties, or for cases where the license to operate has been obtained through nondisclosure, misrepresentation, or intentional misstatement of a material fact, or for nonpayment of personal property taxes in accordance with Section 12-146a of the Connecticut General Statutes.

B. Prior to revocation, the Director of Health shall notify the Permit Holder or the Person in Charge, in writing, of the reason(s) for which the license is subject to revocation, and that the license shall be revoked at the end of 10 days following service of such notice unless a written request for hearing is filed with the Director of Health by the Permit Holder within 48 hours following service of such notice. If no request for hearing is filed within 48 hours following service of such notice, the revocation of the license becomes final.

C. If a written request for hearing is filed with the Director of Health by the Permit Holder or the Person in Charge within 48 hours following service of such notice, the Director of Health shall thereupon immediately examine into the merits of such revocation and may sustain or rescind such revocation. The Permit Holder of an establishment who is aggrieved by such action of the Director of Health, pursuant to Conn. Gen. Stat. Sect. 19a-229, may within 48 hours after the making of such decision, appeal to the commissioner of health services, who shall thereupon immediately notify the authority from whose decision the appeal was taken and examine into the merits of such case and may sustain, modify or rescind such action.

D. During the process of appeal, the license shall remain revoked. However, the Director of Health may grant a stay upon a showing of good cause.

E. Service of notice.

A notice provided for in this article is properly served when it is delivered to the Permit Holder or the Person in Charge, or when it is sent by registered or certified mail, return receipt requested, to the address of the Permit Holder as reported on the license application. A copy of the notice shall be filed in the records of the Director of Health.



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F. Hearings.

The hearings provided for in this article shall be conducted by the Director of Health at a time and place designated by her. Any oral testimony given at a hearing shall be reported verbatim, and the presiding officer shall make provision for sufficient copies of the transcript. The Director of Health shall make a final finding based upon the complete hearing record and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the Permit Holder by the Director of Health within 10 working days of the hearing date.

G. Reinstatement of suspended and revoked licenses.

- (1) Suspension: Whenever a license has been suspended, the holder of the suspended license may make a written request for license reinstatement. Within 10 days following receipt of a written request, including a statement signed by the applicant that, in her opinion, the conditions causing the suspension have been corrected, the Director of Health shall make a reinspection. If the Director of Health determines that the applicant has complied with the requirements of this chapter and the Public Health Code, the license shall be reinstated.
- (2) Revocation: After a period of 60 days from the date of revocation, a written application may be made for the issuance of a new license, as provided for in Section 8.20.480 of this article, and payment of the annual fee.

8.20.550 – Penalties and Fees.

- A. **Operating without valid license.** Any person who prepares for sale, sells, offers to sell, holds or transports for sale, or offers to the public any food in the City without a license shall be fined not more than \$100 for each day that the violation continues between the notice of violations and the date of correction as known by reinspection, or the date of disposition by a court of competent jurisdiction. Absent proof of a claim that said violation(s) has (have) been corrected as herein provided for, said violation(s) shall be deemed to have continued consecutively each day during the period of time prior to said disposition. In addition thereto, such person may be enjoined from continuing such violation(s). Each sale or offer to sell made by a person whose license is under suspension shall be considered a separate violation of this section. Any person who assumes ownership of a food service establishment and proceeds to offer or sell food to the public without first obtaining a license from the Department of Health and Social Services shall be subject to the same penalty. This penalty is in addition to any other penalties provided for or powers bestowed upon municipal health authorities and/or the Director of Health pursuant to Chapter 368e of the Connecticut General Statutes and the Connecticut Public Health Code.



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- B. Reinspection. Any licensed food establishment that fails an inspection and requires a follow-up inspection to ensure compliance shall be subject to a reinspection fee of \$100. A last charge will be assessed if the reinspection fee is not paid within 30 days.
- C. Failed Reinspection. Any food service establishment that fails a reinspection shall be subject to additional reinspection fees.
- D. Penalties other than suspension and revocation of license. Any person who shall violate any of the provisions of this article, Public Act No. 17-93 and/or the Public Health Code of the State of Connecticut shall be guilty of a misdemeanor. Upon conviction thereof, such persons shall be subject to a fine of not more than \$100 for each day that an offense continues between the date of notice of violations and the date of correction as known by reinspection, or the date of disposition by a court of competent jurisdiction. Absent proof of a claim that said violation(s) has (have) been corrected as herein provided for, said violation(s) shall be deemed to have continued consecutively each day during the period of time prior to said disposition. In addition thereto, such persons may be enjoined from continuing such violation(s).

8.20.560 - Review of plans.

A. Submission of plans.

Whenever a food establishment is constructed or remodeled and whenever an existing structure is converted to use as a food establishment, application for a food establishment plan review shall be made to the Director of Health. This application shall include properly prepared architectural plans and specifications for such construction, remodeling, or conversion. These plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, and construction materials of work areas, and the types and models of all proposed equipment and facilities. The Director of Health shall review and approve these plans and specifications prior to the start of any construction, remodeling or conversion. The Director of Health shall approve plans and specifications if they meet the requirements of this chapter, Public Act No. 17-93 and the Public Health Code of the State of Connecticut. No food establishment shall be constructed, remodeled, or converted except in accordance with plans and specifications approved by the Director of Health. No building permit shall be issued until such time as the Director of Health has submitted to the Building Official a written statement indicating her approval of plans and specifications.



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B. Preoperational inspection.

Whenever plans and specifications are required by Section 8.20.520A of this article to be submitted to the Director of Health, the Director of Health shall inspect the food establishment as many times as she shall deem necessary prior to the start of operations to determine compliance with the approved plans and specifications and with the requirements of this chapter, Public Act No. 17-93 and the Public Health Code of the State of Connecticut. No certificate of occupancy shall be issued until such time as the Director of Health has submitted to the Building Official a written statement indicating her approval of the food establishment.

C. Restaurant floor plan review.

Detailed plans and specifications for new restaurants and restaurant renovations, additions, or alterations to existing structures shall be submitted by the applicant to the environmental health division for a pre-operational process and plan review.

This review shall require interpretation of blueprint, modification, a site visitation and a consultation between the health inspector and the prospective owner. Plan review is a necessary step in obtaining a license to open an establishment.

Area in Square Feet

<u>Area in Square feet</u>	
<u>0-1,000</u>	<u>\$100.00</u>
<u>1,001-1,500</u>	<u>\$125.00</u>
<u>1,501-2,000</u>	<u>\$150.00</u>
<u>2,001-3,000</u>	<u>\$175.00</u>
<u>3,001-3,500</u>	<u>\$200.00</u>
<u>3,501-4,000</u>	<u>\$225.00</u>
<u>Over 4,000: add \$25 per 500 square feet</u>	



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8.20.570 – Equipment to conform with design and fabrication standards.

All new and replacement equipment used in the storage, processing, holding and transportation of food shall conform with the design and fabrication standards of the National Sanitation Foundation, or equal; provided these standards do not conflict with the requirements of this chapter or the Public Health Code of the State of Connecticut.

8.20.580 – Food establishments outside jurisdiction of the corporate limits of the City of Bridgeport.

Food from food establishments outside the jurisdiction of the Director of Health of the City of Bridgeport may be sold within the City of Bridgeport if such food establishments conform to the provisions of this chapter or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Director of Health may accept reports from responsible authorities in other jurisdictions where such food establishments are located.

The Department of Health and Social Services shall have the power and authority to adopt such rules and regulations as may from time to time become necessary to carry out the provisions of this chapter.

Article VI. - Itinerant Food Vendors

8.20.590 - Food vending license.

- A. No person, firm or corporation shall operate or maintain within the city an itinerant food vending business, servicing food or drink from any conveyance, without fixed location and without connections to water supply and sewage disposal systems, except after compliance with Public Act No. 17-93 and the Public Health Code of the State of Connecticut.
- B. The annual fee for each itinerant food vending unit shall be three hundred dollars (\$300.00). All licenses will be due by March 31st. A temporary itinerant vending food license of five days at a fee of one hundred twenty-five dollars (\$125.00) can be obtained.
- C. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before March 31st the license shall increase to three hundred eighty dollars (\$380.00).



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RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
ORDINANCES

Eneida L. Martinez, Co-Chair

Marcus A. Brown, Co-Chair

Michelle A. Lyons
Michelle A. Lyons

Ernest E. Newton, II
Ernest E. Newton, II

Rosalina Roman-Christy
Rosalina Roman-Christy

Pete Spain
Pete Spain

Maria I. Valle
Maria I. Valle

City Council Date: *January 7, 2019*

~~Chapter 8.20 FOOD AND FOOD ESTABLISHMENTS~~

~~Article I. In General~~

~~8.20.010 Frozen dessert license Required.~~

~~No person shall engage in the retail sale of frozen desserts from any vehicle, container or stand without a frozen dessert license issued by the department of health and social services. The term "frozen dessert," as used in this section, means and includes ice cream, French ice cream, frozen custard, ice milk, milk or ice sherbet, or any like ice or frozen milk product.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-1)~~

~~8.20.020 Frozen dessert license Application Term.~~

~~The annual fee for each license required by Section 8.20.010 shall be one hundred seventy five dollars (\$175.00) payable July 1st each year.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-2)~~

~~(Ord. dated 5/16/16)~~

~~8.20.030 Frozen dessert license Inspection of premises and facilities prerequisite to issuance.~~

~~No license required by Section 8.20.010 shall be issued until the director of health and social services or his duly authorized representative shall have inspected the facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of such proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-3)~~

~~8.20.040 Frozen dessert license Fee.~~

~~The annual fee for each license required by Section 8.20.010 shall be one hundred and fifty dollars (\$150.00) payable July 1st each year.~~

~~(Ord. dated 1/18/94 (part); prior code § 12-4)~~

~~(Ord. dated 11/3/08, Ord. dated 5/16/16)~~

~~8.20.050 Frozen dessert license Display.~~

~~Licenses required by Section 8.20.010 and license numbers must be displayed by each licensee in accordance with the directions of the department of health and social services.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-5)~~

~~8.20.060 Sandwich license Required.~~

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~~No person, other than the holder of a restaurant license, shall make and sell sandwiches, whether for sale on or off the premises, without a sandwich license issued by the department of health and social services.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-6)~~

~~8.20.070 Sandwich license—Application—Term.~~

~~Application for the sandwich license required by Section 8.20.060 shall be made to the department of health and social services upon such forms as it shall prescribe. Each license shall expire upon the thirty-first day of December in each year.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-7)~~

~~8.20.080 Sandwich license—Inspection of premises and facilities prerequisite to issuance.~~

~~No sandwich license shall be issued until the director of health and social services or his duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of the proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-8)~~

~~8.20.090 Sandwich license—Fee.~~

- ~~A. The annual fee for a sandwich license shall be two hundred ninety dollars (\$290.00) payable by January 1st each year.~~
- ~~B. In the event that the reapplication for license is not obtained by the department of health and social services on or before January 1st, the fee shall increase to three hundred ninety dollars (\$390.00).~~

~~(Ord. dated 1/18/94 (part); prior code § 12-9)~~

~~(Ord. dated 11/3/08; Ord. dated 5/16/16)~~

~~8.20.100 Sandwich license—Display.~~

~~Licenses required by Section 8.20.060 and license numbers must be displayed by each licensee in accordance with the directions of the department of health and social services.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-10)~~

~~8.20.110 Beverage license—Required.~~

~~No person shall maintain or operate within the city any cafe, club, tavern or soda fountain where any beverage of any kind is served at retail for consumption on the premises unless licensed by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-11)~~

~~8.20.120 Beverage license—Application.~~

~~Application for a beverage license shall be made to the director of health and social services upon such forms as he shall prescribe.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-12)~~

~~8.20.130 Beverage license—Inspection of premises prerequisite to issuance.~~

~~No beverage license shall be issued until the director of health and social services or his duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of such proposed licensee accord with proper standards of sanitation and conform to state and city sanitary laws, ordinances and regulations.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-13)~~

~~8.20.140 Beverage license—Fee.~~

~~A. The annual fee for each beverage license shall be payable by January 1st each year as follows:~~

Seating Capacity	Fee
0-50	\$200.00
51-100	\$280.00
100+	\$375.00

~~B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to the following:~~

Seating Capacity	Fee
0-50	\$300.00
51-100	\$380.00
100+	\$475.00

~~(Ord. dated 1/18/94 (part); prior code § 12-14)~~

~~(Ord. dated 11/3/08; Ord. dated 5/16/16)~~

~~8.20.150 Beverage license—Display required.~~

~~The beverage license must be prominently displayed by each licensee in accordance with the directions of the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-15)~~

~~8.20.160 Beverage license—Suspension.~~

~~Failure to conform to the provisions specified in Section 8.20.130 after due notice by the director of health and social services shall be cause for suspension of the license prescribed in this article by the director. The term "director of health and social services" shall mean the legally designated health authority of the city or his authorized representative.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-16)~~

~~8.20.170 Beverage license—Expiration.~~

~~The beverage license shall expire on the thirty-first day of December in each year.~~

~~(Prior code § 12-17)~~

~~8.20.180 Protection of meat or fish in transportation.~~

~~No person shall transport any meat or fish intended for human food through, along or upon any street unless such meat and fish are properly protected from dust by a suitable covering.~~

~~(Prior code § 12-18)~~

~~8.20.190 Milk licenses—Required.~~

~~The following classes of licenses shall be issued by the department of health and social services under the provisions of this section:~~

- ~~A.—A dealer's license which shall permit of the pasteurization or bottling of milk and the sale or distribution of the milk so pasteurized or bottled by the licensee;~~
- ~~B.—A subdealer's license which shall permit the retail sale or distribution of milk other than by the holder of a dealer's license or a store milk license; and a store milk license which shall permit of the retail sale, by any store or other business establishment of milk which is not to be consumed on the premises of the licensee.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-19)~~

~~8.20.200 Milk licenses—Fees.~~

- ~~A.—The annual fee for a milk dealer's license shall be one hundred fifteen dollars (\$115.00) payable by January 1st each year.~~

B. ~~In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to two hundred thirty dollars (\$230.00).~~

~~(Ord. dated 5/21/90 (part); prior code § 12-20)~~

~~(Ord. dated 11/3/08; Ord. dated 5/16/16)~~

Article II. ~~Food Dealers~~

8.20.210 ~~Definition.~~

~~As used in this article, the term "director of health and social services" means the legally designated health authority of the city or his authorized representative.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-30)~~

8.20.220 ~~License—Required.~~

~~No grocery store, bakery, meat market or other establishment selling food or any other substances used or intended to be used for human consumption off the premises shall be maintained in the city unless licensed by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-31)~~

8.20.230 ~~License—Fee.~~

A. ~~The annual fee shall be charged for such license payable by July 1st of each year as follows:~~

~~Food Establishments~~

Area in Square feet	
0-2500	\$300.00
2500+	\$400.00

B. ~~In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before July 1st, the license fee shall increase to the following:~~

~~Food Establishments~~

Area in Square feet	
0-2500	\$400.00

2500+	\$500.00
-------	----------

~~(Ord. dated 1/18/94 (part); prior code § 12-32)~~

~~(Ord. dated 11/3/08; Ord. dated 5/16/16.)~~

~~8.20.240 License Suspension.~~

~~Failure to conform to the provisions of this article after due notice by the director of health and social services shall be cause for the suspension of the license required by Section 8.20.220 by the director.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-33)~~

~~8.20.250 Inspection of premises.~~

~~Dealers in food and all other substances used or intended to be used for human consumption, and their agents, and all persons engaged in the transportation thereof shall permit the director of health and social services freely and fully to inspect the premises and all parts of the establishment, and all cattle, meat, fish, vegetables, milk and other food, and all other substances used or intended to be used for human consumption, and all utensils and equipment of the establishment.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-34)~~

~~8.20.260 Prima facie proof of intent to sell for consumption.~~

~~Any meat, fish, vegetable, milk or other food in the possession of or held or kept by a food dealer on the premises where such food dealer conducts his business shall, prima facie, be deemed to be possessed, held or kept with intent to sell for human consumption.~~

~~(Prior code § 12-35)~~

~~8.20.270 Condemnation of unfit food or drink.~~

~~Any meat, fish, poultry, vegetable or milk or other food or drink found by the director of health and social services in a condition which renders it unfit for use as human food shall be condemned and caused to be denatured and may be destroyed or removed.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-36)~~

~~8.20.280 Possession of unfit food or drink with intent to sell prohibited.~~

~~No person shall sell, offer or exhibit for sale, or have in his possession, charge or control with intent to sell, any meat, fish, vegetable, milk or any article of human food or drink, either raw, manufactured or otherwise prepared, which is putrid, decayed, infected, contaminated or unwholesome for human consumption, or has been condemned by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-37)~~

~~8.20.290—Allowing animals to enter premises prohibited.~~

~~No food dealer shall permit any dog or other animal to enter any premises where food is sold.~~

~~(Prior code § 12-38)~~

~~8.20.300—Protection from dust, animals, etc., required.~~

~~No food, other than fruits and vegetables, shall be kept, sold, offered for sale, displayed or transported unless protected from dust, dirt, flies, animals and other contamination.~~

~~(Prior code § 12-39)~~

~~8.20.310—Sale of defrosted frozen foods restricted.~~

~~No frozen foods which have been allowed to defrost or partially defrost shall thereafter be sold with the exception of frozen baked goods.~~

~~(Prior code § 12-40)~~

~~8.20.320—Wrapping of food products.~~

~~Wrapping of food products in other than sanitary wrappings or containers is prohibited.~~

~~(Prior code § 12-41)~~

~~8.20.330—Screens required.~~

~~All doors, windows and transoms opening to the outer air from stores where food is sold shall be screened from the first day of April until the last day of November. All such screened doors must open outward and be self-closing. Any other method for the exclusion of flies which is approved by the director of health and social services may be substituted for the use of screening.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-42)~~

~~8.20.340—Transportation of meats.~~

~~No person shall carry, convey or haul through or upon the public streets of the city any fresh meats of any kind for resale except in a closed truck or like vehicle, kept in a sanitary condition. No boned, cut or separate cuts of meat too small to bear an inspection stamp shall be delivered to any market for resale in the city. No meats shall be delivered to markets in vehicles used for any other purpose except in containers approved by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-43)~~

~~8.20.350—Sanitary facilities.~~

~~All establishments where food or meat is processed, manufactured or sold shall be provided with toilet and hand-washing facilities of a type approved by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-44)~~

~~8.20.360—Equipment sanitation, temperature requirements.~~

~~A. No person shall keep any article intended for sale for human consumption in any receptacle or container that is in an unclean or insanitary condition. All readily perishable food and drink shall be kept at or below fifty (50) degrees Fahrenheit.~~

~~B. All utensils and equipment used in the processing or handling of food or meat in any establishment where food or meat is processed, manufactured or sold shall be kept in a clean and sanitary condition. Facilities for the cleansing and bactericidal treatment of utensils and equipment shall be of a type approved by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-45)~~

~~8.20.370—Employee sanitation requirements.~~

~~Persons employed in any establishment where food or meat is processed, manufactured or sold shall wear clean washable outer garments and shall keep their hands and fingernails clean at all times while engaged in handling food, drink, utensils or equipment. No employee shall return from a toilet room without washing his hands, and notice of this requirement shall be posted in each employee's toilet room.~~

~~(Prior code § 12-46)~~

~~8.20.380—Required materials for bakeries' floors.~~

~~The floors of all bakeries in which food is prepared or utensils are washed shall be of concrete, terrazzo, ceramic tile and hardwood or equal.~~

~~(Prior code § 12-47)~~

~~8.20.390—Materials for walls of bakeries licensed originally after March 22, 1960.~~

~~In the case of a bakery licensed after March 22, 1960, for the first time, the washable surface for walls to the splash level of all rooms in which food is prepared or utensils are washed shall be of ceramic tile, glazed tile, plastic tile and/or equal.~~

~~(Prior code § 12-48)~~

~~Article III.—Restaurants~~

~~8.20.400—License—Required.~~

~~No person shall engage in the operation of any restaurant in the city without a restaurant license issued by the department of health and social services.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-75)~~

~~8.20.410 License Application Term.~~

~~Application for a restaurant license shall be made to the department of health and social services upon such forms as it shall prescribe. Each license shall expire upon the thirty-first day of December in each year.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-76)~~

~~8.20.420 License Inspection of premises and facilities prerequisite to issuance.~~

~~No restaurant license shall be issued until the director of health and social services or his duly authorized representative shall have inspected the premises and other facilities of the proposed licensee and shall have determined that the premises, stock, personnel and equipment of the proposed licensee accord with proper standards for sanitation and conform to state and city sanitary laws, ordinances and regulations.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-77)~~

~~8.20.430 License Fee.~~

~~A. The annual fee for a restaurant license shall be payable by January 1st of each year as follows:~~

~~Restaurants~~

Seating Capacity	
0-50	\$230.00
51-100	\$290.00
100+	\$425.00

~~B. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before January 1st, the license shall increase to the following:~~

~~Restaurants~~

Seating Capacity	
0-50	\$330.00
51-100	\$390.00
100+	\$525.00

~~(Ord. dated 1/18/94 (part); prior code § 12-78)~~

~~(Ord. dated 11/3/08; Ord. dated 5/16/16)~~

~~8.20.440 License Display.~~

~~Restaurant licenses and license numbers must be displayed by each licensee in accordance with the directions of the department of health and social services.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-79)~~

~~8.20.450 Utensils—Cleaning generally.~~

~~All multiuse eating and drinking utensils must be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage by one of the following methods only, so as to be free from bacilli and to have a total bacteria count of not more than one hundred (100) per utensil as determined by test by the director of health and social services or his agent:~~

- ~~A. With a properly operating dishwashing machine whose plumbing complies with all city plumbing ordinances and is so designed and installed as to prevent contamination of the water supply through interconnections and back siphonage. Every dishwashing machine must be kept clean. Its pumps and the wash and rinse sprays or jets must direct a forceful stream of water that will reach all of the utensils when they are properly racked. Its wash tank water must be changed during operation as often as is found necessary to keep it reasonably clean. Each dishwashing machine must be provided with:~~
- ~~1. A properly operating automatic detergent dispenser which will maintain at all times an effective concentration of detergent;~~
 - ~~2. Thermostatic control of the temperature of the wash water as well as that of the rinse water. The wash water temperature must be one hundred thirty (130) degrees Fahrenheit and the rinse water temperature must be one hundred eighty (180) degrees Fahrenheit;~~
 - ~~3. Thermometers in both the wash and rinse waterlines and in such a location as to be readily visible. Adequate hot water heating and storage facilities must be available.~~
- ~~B. With a three-compartment sink. Each sink must be of a size sufficient for its use and have its own supply of running hot and cold water. The first sink must be used for washing, the second sink must be used for plain rinsing and the third sink must be used for immersion in a chemical sanitizer. All washed and rinsed multiuse eating and drinking utensils must remain immersed in the chemical sanitizer solution for at least two minutes. The chemical sanitizer used must meet with the approval of the director of health and social services. The chemical sanitizer solution in the third sink must be of sterilization strength and so maintained at all times.~~
- ~~C. Any other method approved by the director of health and social services.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-80)~~

~~8.20.460 Utensils—Air drying after sanitization.~~

~~All multiuse eating and drinking utensils must be air dried following sanitizing.~~

~~(Prior code § 12-81)~~

~~8.20.470—Utensils—Each cleaning location to meet requirements of Section 8.20.450.~~

~~Any place where food and beverages are served to the public that has more than one location within the establishment where multiuse eating and drinking utensils are washed must meet the requirements of Section 8.20.450 by one of the aforesaid methods at each such location.~~

~~(Prior code § 12-82)~~

~~8.20.480—Utensils—Storage after sanitization.~~

~~After sanitization, utensils, cookingware and serviceware shall be stored in a clean, dry place, protected from flies, dust and other contamination and shall be handled in such a manner as to prevent contamination insofar as practicable.~~

~~(Prior code § 12-83)~~

~~8.20.490—Utensils—Single service.~~

~~Single service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used and shall be handled in a sanitary manner. Drinking straws, toothpicks, crackers, mints and/or candy shall be wrapped with a sanitary protective covering for individual use.~~

~~(Prior code § 12-84)~~

~~8.20.500—Sugar containers.~~

~~All sugar served to the public must meet one of the following requirements:~~

- ~~A. Shall be in tablet form, and each tablet shall be wrapped with a sanitary protective covering for individual use;~~
- ~~B. Shall be in individually sealed packets;~~
- ~~C. Shall be poured from a suitable glass container with a tight fitting metal or plastic cover equipped with a pouring spout which shall have a self-sealing cover.~~

~~(Prior code § 12-85)~~

~~8.20.510—Refrigeration of dairy products.~~

~~No dairy products for public consumption shall be allowed to remain unrefrigerated when not in use.~~

~~(Prior code § 12-86)~~

~~8.20.520—Revocation of license.~~

~~Any person found to be in violation of any of the provisions of this article shall receive a warning to remedy such condition and upon his failure to do so, within a reasonable time, the director of health and social services shall revoke his license to operate.~~

~~(Ord. dated 12/21/92 § 75(h); prior code § 12-87)~~

~~Article IV. Slaughtering~~

~~8.20.530 Place of slaughtering.~~

~~No person shall slaughter any cattle, sheep or swine except in duly licensed slaughterhouses or in slaughterhouses under United States Government inspection.~~

~~(Prior code § 12-99)~~

~~8.20.540 Inspection—Prior to slaughter.~~

~~No meat shall be sold for human food, or offered for sale, or held with the intention of selling the same unless the animal furnishing the meat was examined by an agent of the department of health and social services within twenty-four (24) hours previous to the time of slaughter, except such animals or such carcasses as have been inspected or exempted by the United States Government or inspected as set forth in Section 8.20.550.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-100)~~

~~8.20.550 Inspection—After slaughter.~~

~~Carcasses of animals killed on any farm and to be sold in the city, not inspected previous to slaughter, may be offered for inspection by an agent of the department of health and social services on the condition that carcasses so presented have the head, heart, liver and lungs held by the natural attachments. Such carcasses, if found to be free from disease and otherwise sound and healthful, shall be passed and stamped. If found to be diseased, unsound, unwholesome or otherwise unfit for human food, they shall be condemned for food purposes and destroyed. For such inspection a fee, to be fixed by such board, shall be paid, but not to exceed ten cents (\$0.10) for any animal.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-101)~~

~~8.20.560 Inspection—Notice to department of health and social services—Hours.~~

~~All owners or persons having animals in charge for slaughter shall notify the agent of the department of health and social services and give him an opportunity to examine the same by daylight. In case the suitability of the animal for food cannot be determined by the antemortem examination, the owner or person in charge of the animal must notify the agent of the board to be present to examine the animal when killed; the slaughter of such animals shall take place only in the daylight hours of eight a.m. and five p.m., except that when daylight saving time is operative the same shall take place between the hours of seven a.m. and four p.m.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-102)~~

~~8.20.570 Inspection—Marking.~~

~~All animals or carcasses of the same, when passed or approved by the agent of the department of health and social services, shall be marked, tagged or labeled; and the mark, tag or label placed thereon or affixed thereto shall bear the words, "Approved, department of health and social services." No such mark, tag or label shall be attached to any animal or carcass or portion thereof, except by an agent of such board.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-103)~~

~~8.20.580—Sale of condemned animals prohibited.~~

~~No person shall sell or offer to sell any cattle, calves, swine, sheep, goats, fish, fowl or poultry, or the meat thereof, which any agent of the department of health and social services or United States Government inspector has condemned.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-104)~~

~~8.20.590—Condemnation of unfit meat.~~

~~In case the agent of the department of health and social services decides that a carcass or portion of a carcass is not suitable for human food, he shall condemn the same and determine the method of its disposal.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-105)~~

~~8.20.600—Approval of unfit animals prohibited.~~

~~No animal shall be passed or approved by the agent of the department of health and social services as suitable for human food when it is suffering from any disease or injury which causes a feverish condition or an elevation of temperature, or when it is badly bruised, or injured, or shows tumors, abscesses or suppurating sores, or when it is too emaciated or weak to produce wholesome food, nor the carcass of any unborn animal, nor the carcass of any calf weighing less than fifty (50) pounds when dressed, nor any carcass which after cooling shows any greenish-yellow discoloration, nor the carcass of any animal which dies from accident or disease, or which had not been properly killed and bled. The carcasses of all calves when dressed shall be weighed by the owner in the presence of an agent of such board.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-106)~~

~~8.20.610—Marking of diseased animals.~~

~~Any person bringing in to the city the carcass of any sheep, swine, goat or cattle having died from accident or disease shall promptly notify the department of health and social services, the director of health and social services or some agent of the department of health and social services where such carcass can be seen by an agent of the board, who shall immediately mark or label the carcass "unfit for food;" and no person shall use such carcass or any portion thereof in the manufacture of a food product or have the same in his possession with the intention of so using it.~~

~~(Ord. dated 12/21/92 § 75(g), (h); prior code § 12-107)~~

~~8.20.620—Fees for use of municipal slaughterhouse.~~

~~A fee shall be paid to the department of health and social services for the use of the slaughterhouse owned by the city and for the examination of animals therein, which fee shall be fixed by such board, but shall not exceed for cattle, each, fifty cents (\$0.50); calves, each, twenty five cents (\$0.25); hogs, sheep and goats, each, fifteen cents (\$0.15); unless cold storage is furnished by the city; and for the examination of animals at other slaughterhouses licensed by such board, a fee to be fixed by such board shall be paid, not exceeding ten cents (\$0.10) for any animal.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-108)~~

~~8.20.630 – Regulatory authority of department of health and social services.~~

~~The department of health and social services shall have the power and authority to adopt such rules and regulations as may from time to time become necessary to carry out the provisions of this chapter.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-109)~~

~~8.20.640 – License required for rendering plants, etc.~~

~~No person shall engage in the disposal of dead animals, bone-boiling, bone-cooking, fat-rendering, glue-making, or rendering impure and offensive animal matter without a license from the department of health and social services.~~

~~(Ord. dated 12/21/92 § 75(g); prior code § 12-110)~~

~~Article V. Itinerant Food Vendors~~

~~8.20.650 – Food vending license.~~

- ~~A. No person, firm or corporation shall operate or maintain within the city an itinerant food vending business, servicing food or drink from any conveyance, without fixed location and without connections to water supply and sewage disposal systems, except after compliance with Section 19-13-B-48 of the Connecticut Public Health Code.~~
- ~~B. The annual fee for each itinerant food vending unit shall be three hundred dollars (\$300.00). All licenses will be due by March 31st. A temporary itinerant vending food license of five days at a fee of one hundred twenty five dollars (\$125.00) can be obtained.~~
- ~~C. In the event that the reapplication for license and receipt of payment for such license is not obtained by the department of health on or before March 31st the license shall increase to three hundred eighty dollars (\$380.00).~~

~~(Ord. dated 10/17/05; Ord. dated 7/5/05; Ord. dated 1/18/94 (part); prior code § 23-22)~~

~~(Ord. dated 11/3/08; Ord. dated 5/16/16)~~

~~8.20.660 – Restaurant floor plan review.~~

~~Detailed plans and specifications for new restaurants and restaurant renovations, additions, or alterations to existing structures shall be submitted by the applicant to the environmental health division for a pre-operational process and plan review.~~

~~This review shall require interpretation of blueprint, modification, a site visitation and a consultation between the health inspector and the prospective owner. Plan review is a necessary step in obtaining a license to open an establishment.~~

~~Area in Square Feet~~

Area in Square feet	
0-1,000	\$100.00

1,001-1,500	\$125.00
1,501-2,000	\$150.00
2,001-3,000	\$175.00
3,001-3,500	\$200.00
3,501-4,000	\$225.00
Over 4,000: add \$25 per 500 square feet	

(Ord. dated 5/16/16)

Item# 01-18

Settlement of Pending Litigation with NM PPA Maxine Gordon, et al.



Report
of
Committee
on

Miscellaneous Matters

City Council Meeting Date: January 7, 2019
(OFF THE FLOOR)

Attest: Lydia N. Martinez
Lydia N. Martinez, City Clerk

Approved by: _____
Joseph P. Ganim, Mayor

Date Signed: _____

PLEASE NOTE: Mayor did not sign report

RECEIVED
CITY CLERKS OFFICE
19 JAN 28 PM 1:14

ATTEST
CITY CLERK



City of Bridgeport, Connecticut

Office of the City Clerk

To the City Council of the City of Bridgeport:

The Committee on Miscellaneous Matters begs leave to report; and recommends for adoption the following resolution:

Item No. 01-18

WHEREAS, a lawsuit in the following name was filed against the City of Bridgeport and/or its employees and investigation disclosed the likelihood on the part of the City for which, in the event of suit and trial, the City might be held liable, and

WHEREAS, negotiations with the Plaintiff's attorney has made it possible to settle this suit for the figure set forth below, and the City Attorney, therefore, recommends the following settlement be accepted, Now, Therefore be it

RESOLVED, That the Comptroller be, and hereby is authorized, empowered and directed to draw his order on the City Treasurer payable as follows:

<u>NAME</u>	<u>ATTORNEY</u>	<u>NATURE OF CLAIM</u>
NM PPA Maxine Gordon	Glenn L. Formica, Esq. Formica Williams, PC 195 Church Street, 11th Fl New Haven, CT 06510	Civil Litigation

BE IT FURTHER RESOLVED, that the amount set forth as above are paid to the Plaintiff's attorney in full payment, settlement, release and discharge of all rights and cause of action described in the suit instituted by the above mentioned Plaintiff against the City and known as docket numbers in the courts set forth; provided, however, that the City's draft shall not be delivered to the Plaintiff's attorneys until the City Attorney has been furnished with a full release and discharge in writing in each case, approved by the City Attorney or Deputy City Attorney.




City of Bridgeport, Connecticut Office of the City Clerk

Report of Committee on Miscellaneous Matters

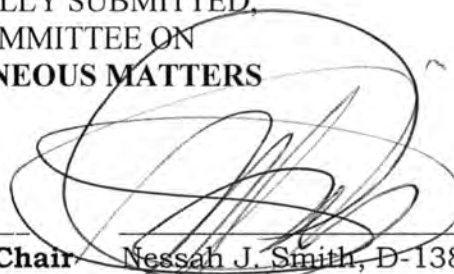
Item No. 01-18

-2-

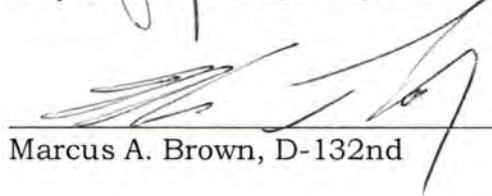
RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
MISCELLANEOUS MATTERS



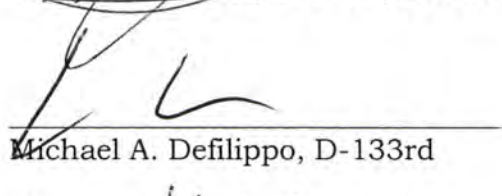
AmyMarie Vizzo-Paniccia, D-134th, **Co-Chair**



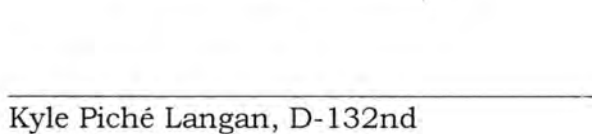
Nessah J. Smith, D-138th, **Co-chair**



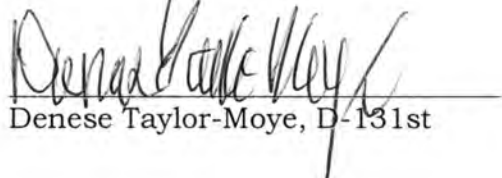
Marcus A. Brown, D-132nd



Michael A. Defilippo, D-133rd



Kyle Piché Langan, D-132nd



Denese Taylor-Moye, D-131st

Maria Zambrano Viggiano, D-136th

Council Date: January 7, 2019 (OFF THE FLOOR)

Item# 04-18

Settlement of Pending Litigation with Lonnie Blackwell.



Report
of
Committee
on

Miscellaneous Matters

City Council Meeting Date: January 7, 2019
(OFF THE FLOOR)

Attest: Lydia N. Martinez
Lydia N. Martinez, City Clerk

Approved by: _____
Joseph P. Ganim, Mayor

Date Signed: _____

PLEASE NOTE: Mayor did not sign report

RECEIVED
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19 JAN 28 PM 1: 14
ATTEST
CITY CLERK



City of Bridgeport, Connecticut Office of the City Clerk

To the City Council of the City of Bridgeport.

The Committee on Miscellaneous Matters begs leave to report; and recommends for adoption the following resolution:

Item No. 04-18

WHEREAS, a lawsuit in the following name was filed against the City of Bridgeport and/or its employees and investigation disclosed the likelihood on the part of the City for which, in the event of suit and trial, the City might be held liable, and

WHEREAS, negotiations with the Plaintiff's attorney has made it possible to settle this suit for the figure set forth below, and the City Attorney, therefore, recommends the following settlement be accepted, Now, Therefore be it

RESOLVED, That the Comptroller be, and hereby is authorized, empowered and directed to draw his order on the City Treasurer payable as follows:

<u>NAME</u>	<u>ATTORNEY</u>	<u>NATURE OF CLAIM</u>
Lonnie Blackwell	Thomas Bucci, Esq. Willinger, Willinger & Bucci, P.C. 855 Main Street, 5 th Floor Bridgeport, CT 06604	Administrative/Civil Action

BE IT FURTHER RESOLVED, that the amount set forth as above are paid to the Plaintiff's attorney in full payment, settlement, release and discharge of all rights and cause of action described in the suit instituted by the above mentioned Plaintiff against the City and known as docket numbers in the courts set forth; provided, however, that the City's draft shall not be delivered to the Plaintiff's attorneys until the City Attorney has been furnished with a full release and discharge in writing in each case, approved by the City Attorney or Deputy City Attorney.



City of Bridgeport, Connecticut Office of the City Clerk

Report of Committee on Miscellaneous Matters
Item No. 04-18

-2-

RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
MISCELLANEOUS MATTERS

AmyMarie Vizzo-Paniccia, D-134th, **Co-Chair**

Nessah J. Smith, D-138th, **Co-chair**

Marcus A. Brown, D-132nd

Michael A. Defilippo, D-133rd

Kyle Piché Langan, D-132nd

Denese Taylor-Moye, D-131st

Maria Zambrano Viggiano, D-136th

Council Date: January 7, 2019 (OFF THE FLOOR)



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION I		CITY COUNCIL SUBMISSION INFORMATION	
Log ID/Item Number:	17-18		
Submitted by Councilmember(s):	Ernest E. Newton		
Co-Sponsors(s):	Eneida L. Martinez	Aidee Nieves	co-sponsor Choose an item
District:	139TH	Entire council Choose an item	
Subject:	Clean Slate Hiring Policy for City of Bridgeport		
Referred to:	Public Safety and Transportation Committee		
City Council Date:	January 7, 2019 (From the Floor)		

SECTION II RESOLUTION (PLEASE TYPE BELOW)

WHEREAS, a criminal record should not be a life sentence to unemployment, underemployment, and poverty; and

WHEREAS, about 13,400 people are incarcerated in the state of Connecticut currently; and

WHEREAS, about 5,000 leave prison each year and return to our communities to rebuild their lives; and

WHEREAS, 60% of people who have been incarcerated remain unemployed one year after release; and

WHEREAS, criminal records turn people into second class citizens, barring them from many professions, jobs, housing programs, and more; nearly 9 in 10 employers, 4 in 5 landlords, and 3 in 5 colleges use criminal background checks, putting employment, housing, and higher education out of reach; and

WHEREAS, on August 6, 2018 the City Council by immediate consideration passed Resolution 144-17 calling upon the Connecticut Legislature to enact "Clean Slate" legislation like that passed in Pennsylvania to remove the stigma of a past criminal record; and

WHEREAS, "Clean Slate" legislation has yet to be passed by the Legislature and many non-violent offenders who are law-abiding, otherwise qualified citizens in the City of Bridgeport are being denied employment by the City simply because of their criminal history; and

WHEREAS, when after a certain amount of time they have not recidivated, and have stayed out of trouble, those Bridgeport residents seeking employment with the City should be considered for employment based solely on their work qualifications not their past; and

NOW, THEREFORE, BE IT RESOLVED by the Bridgeport City Council that in order to help people who have changed their lives move on from past mistakes and need a second chance that the City adopt an employment screening policy that any applicant for city employment who after 3 years for nonviolent misdemeanors, 5 years for certain nonviolent felonies, or having been free from arrest or conviction for 10 years not be automatically be disqualified for employment by the City of Bridgeport simply because of a previous criminal arrest or history.

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ATTN: CITY CLERK



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on: CT Post Publication Date(s): Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)

Motions Made by Ernest Newton:

1. I make a motion to suspend the rules for the purposes of adding an item to the agenda entitled "Clean Slate Hiring Policy for the City of Bridgeport." for referral to the Public Safety and Transportation Committee

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CITY CLERK

2. I make a motion to refer the aforementioned item to the Public Safety and Transportation Committee.