

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
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AGENDA
PUBLIC PROTECTION & SAFETY STANDING COMMITTEE OF THE
RTM
Special Meeting
Wednesday, February 11, 2026
6:00 PM – Waterford Police Station Training Room
41 Avery Lane

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment
5. To consider and act upon the minutes of the July 21, 2025 meeting
6. Consideration of and possible action on items referred to committee:
 - A. Street Takeovers and Enforcement Cameras, RTC 08/04/25
 - B. Review of assigned duties to the Director of Fire Services RTC 06/03/2024
 - C. Review of Mass Gatherings ordinance, Chapter 9.08 RTC 02/02/26

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2026 FEB -6 | A 1:15
ATTEST: *[Signature]*
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FIFTEEN ROPE FERRY ROAD
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2025 JUL 25 P 3:50
ATTN: David L. Campo
TOWN CLERK

MINUTES

PUBLIC PROTECTION & SAFETY STANDING COMMITTEE OF THE RTM PUBLIC HEARING & SPECIAL MEETING

Monday, July 21, 2025

6:00 P.M. - Waterford Town Hall, Louise Appleby Room

The July 21, 2025 Public Hearing of the Public Protection & Safety Standing Committee of the RTM was called to order by Chairperson Tim Condon at 6:00 P.M.

ROLL CALL

Present: Thomas Dembek, Kathy Mullen Kohl, Tim Condon, Narciss Greene

Absent: Shawn Monahan

Also Attending: Town Clerk David L. Campo, Town Attorney Robert Avena, RTM Member Susan Driscoll, RTM Member Mary Childs, Fire Marshall Stephen Dubicki, Director of Fire Services Chris Haley, Chief of Police Marc Balestracci.

The Public Hearing opened at 6:01 P.M. in regard to the Waterford Code of Ordinances, Chapter 8.33 – Open Burning and Chapter 10.10 – All-Terrain Vehicles Ordinance.

PUBLIC COMMENT: None

Town Attorney spoke in regards to 10.10.010 Declaration of Policy.

MOTION by Greene, seconded by Dembek, to close the public hearing at 6:15 P.M.

VOTING IN FAVOR: Unanimous

The July 21, 2025 Special Meeting of the Public Protection & Safety Standing Committee of the RTM was called to order by Chairperson Tim Condon at 6:16 P.M.

ROLL CALL

Present: Thomas Dembek, Kathy Mullen Kohl, Tim Condon, Narciss Greene

Absent: Shawn Monahan

Also Attending: Town Clerk David L. Campo, Town Attorney Robert Avena, RTM Member Susan Driscoll, RTM Member Mary Childs, Fire Marshall Stephen Dubicki, Director of Fire Services Chris Haley, Chief of Police Marc Balestracci.

AGENDA ITEM 3: Minutes

MOTION by Mullen Kohl, seconded by Greene, to approve the minutes from the June 30, 2025 meeting.

VOTING IN FAVOR: Unanimous

AGENDA ITEM 4A: **Open Burn Ordinance, RTC 12/04/23**

MOTION by Dembek, seconded by Mullen Kohl, to report issue out of committee and recommend the proposed ordinance to allow the Fire Marshall to issue Open Burn Ban. (See attachment)

VOTING IN FAVOR: Unanimous

AGENDA ITEM 4B: **ATV and Dirt Bike Ordinance Consideration, RTC 10/02/23**

MOTION by Dembek, seconded by Mullen Kohl, to report issue out of committee and recommend the proposed ordinance because of the unsafe and illegal operation of ATV's and dirt bikes in Waterford with changes to 10.10.010. (See Attachment)

VOTING IN FAVOR: Unanimous

AGENDA ITEM 4C: No discussion

AGENDA ITEM 4D: No discussion

MOTION by Dembek, seconded by Mullen Kohl, to adjourn at 6:25 P.M.

VOTING IN FAVOR: Unanimous

Respectfully submitted,
Timothy Condon
Chairperson

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Chapter 8.33
OPEN BURNING

- 8.33.010 Declaration of Policy.
- 8.33.020 Prohibition.
- 8.33.030 Open Burning Official; permit procedures.
- 8.33.040 Excluded open fires; required permits.
- 8.33.050 Standards for open burning permits.
- 8.33.060 Outdoor burn ban.
- 8.33.070 Violations and penalties.

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2025 JUL -9 A 9:24
ATTEST: [Signature]
TOWN CLERK

8.33.010 Declaration of Policy.

The Town Fire Marshal is increasingly concerned about safety and environmental impacts associated with the open burning of brush and other materials. To seek to ensure that the health and safety of its residents is safeguarded, the Representative Town Meeting (RTM), pursuant to the authority of Section 7-148 and Section 22a-174 of the Connecticut General Statutes, hereby enacts legislation prohibiting all open burning except as noted.

8.33.020 Prohibition.

Except as hereinafter provided, no person shall set, cause or permit an open fire within the limits of the Town of Waterford. As used herein, "person" means an individual, firm, partnership or corporation. As used herein, "open burning" means the burning of any matter in such manner that the products of combustion from the burning are emitted directly into the ambient air without passing through an adequate stack or flue. Open burning thus includes burning done in simple outdoor structures such as barrels and drums as well as on the ground surface.

8.33.030 Open Burning Official; permit procedures.

- A. The First Selectman shall appoint one or more Open Burning Officials of the Town of Waterford who shall be solely responsible for the issuance of permits for those open fires excluded from the prohibition of section 8.33.020 of this chapter.
- B. A permit application for any permitted open fire shall be made on forms furnished by the Open Burning Official. Each application shall describe the purposes of the fire, the

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nature and quantity of the materials to be burned and such other information as the Open Burning Official may require.

- C. A permit issued under this section shall be applicable only for the occasion or the purpose for which it was obtained.

8.33.040 Excluded open fires; required permits.

- A. A permit shall not be required for the following open fires:

- (1) Barbeques or other outdoor open fires for the purpose of cooking food for human consumption.
- (2) Fires to abate an immediate fire hazard, provided that the abatement fire is supervised by a responsible fire official.
- (3) Fires for training firefighters in methods of fighting fires as authorized by the Fire Marshal and/or Fire Chief.
- (4) Fires in an outdoor fireplace (i.e., chimineas, patio hearths, fire rings). Outdoor fireplaces must be noncombustible and specifically designed to hold outdoor fires. Fires shall not exceed four feet in diameter and only untreated natural wood is permitted to be burned. Fires must be a minimum of 10 feet from any structure. Drums of any kind shall not be permitted.
- (5) Fires in salamanders or other similar devices used by construction or other workers for heating purposes, which fires are essential to street installation or paving activities, the repairing of utilities, or other similar work.

- B. Permits shall be required for the following open fires:

- (1) Fires for the prevention, control, or destruction of diseases and pests, and agricultural burning for vegetation management.
- (2) Campfires, bonfires or other fires for ceremonial or recreational purposes, including cooking fires, that do not meet the standards as defined in Subsection A(4) above.

- C. Permits are required for the following open fires and may only be issued by the Commissioner of the Department of Environmental Protection or his designee:

- (1) Fires for the disposal of dangerous material such as toxic gases where there is not a reasonable alternative method.
- (2) Fires to thwart a hazard which cannot properly be managed by any other means or is necessary for the protection of public health.

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8.33.050 Standards for open burning permits.

The Open Burning Official shall not issue a permit when it is determined that:

- A. A hazardous health condition will be created by such burning;
- B. The fire constitutes a salvage operation by open burning;
- C. A practical and alternative method for the disposal of the material to be burned exists, including but not limited to the following techniques: chipping, cutting for forest products, land filling, piling for protective cover for wildlife and stockpiling;
- D. Such open burning would interfere with or prevent the attainment or maintenance of a relevant ambient air quality standard;
- E. The forest fire danger, as determined by the state forest fire warden, is high or extreme and the area is within 100 feet of a woodland or grassland;
- F. An advisory of an air pollution emergency episode state is in effect; or
- G. Garbage, paper, grass, metals, plastics, leaves, rubber, painted materials or demolition waste is to be burned.

8.33.060 Outdoor burn ban.

- A. Whenever the state DEEP issues an outdoor burning ban on state properties, the Town Fire Marshal is hereby authorized to issue a similar townwide ban.

8.33.070 Violations and penalties.

- A. The Fire Marshal, police officer, and any Fire Department officer having jurisdiction, after having been made aware of a particular open fire and having satisfied themselves as to the circumstances and applicable requirements, shall cause any fire not specifically permitted by this ordinance or any fire deemed a hazard or nuisance, to be immediately extinguished, and may summon the fire service to accomplish this extinguishment.
- B. Any person who violates this chapter shall be fined \$250.00. Each singular daily event shall be considered a separate violation.

(See Attachment A - Policies for Open Burning in Waterford)

Effective Date: This ordinance shall take effect 15 days after final action by the RTM.

Chapter 10.10
All-Terrain Vehicles Ordinance

- 10.10.010 Declaration of Policy.**
- 10.10.020 Definitions.**
- 10.10.030 Prohibition.**
- 10.10.040 Penalties.**
- 10.10.050 Sign Posting Required for All-Terrain Dealers.**
- 10.10.060 Sale of Gasoline for Illegal Purposes.**
- 10.10.070 Appeal.**

RECEIVED FOR RECORD
WATERFORD, CT
2025 JUN 23 AM 10:45
ATTEN: [Signature]

10.10.010 Declaration of Policy.

As authorized under C.G.S. Section 14-390(A), the Police Chief and Police Commission have become concerned with unregistered and unsafe vehicle use in Waterford. Therefore, all-terrain vehicles, mini bikes, mini motorcycles and dirt bikes on streets and public property are prohibited.

10.10.020 Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section:

All-terrain vehicle means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways and also defined as any three (3) or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road uses by an individual rider on various types of non-paved terrain. Such vehicles do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines.

All-terrain vehicle dealer means any person engaged in the business of manufacturing, selling, leasing or renting all-terrain vehicles, mini bikes, as defined by this section, mini-motorcycles, as defined by this section, or dirt bikes, as defined by this section, at retail having a regular and established place of business within the Town.

Dirt bike shall mean a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, and also defined pursuant to General Statute § 14-390m(d) as may be amended.

Mini-motorcycle shall mean a vehicle that has not more than three (3) wheels in contact with the ground, has a manufactured seat height of less than twenty-six (26) inches measured at the lowest point on top of the seat cushion without the rider, and is propelled by an engine having a piston displacement of less than fifty (50) c.c.

Pocket bikes, mini bikes, mini sport bikes, mini dirt bikes, chopper scooters, motor scooters, bicycles with helper motors, and any other similar vehicle (hereinafter collectively "mini bikes") shall mean any wheeled vehicle designed to transport one (1) or more persons that is powered by any type of motor.

As used in this section, "all-terrain vehicle", "mini bike", "mini motorcycle" and "dirt bike" shall not include the following:

- (1) Any registered "motorcycle" as defined in General Statute § 14-1(46);
- (2) Any registered "motor vehicle" as defined in General Statute § 14-1(47);
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all Town ordinances;
- (4) Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;
- (5) Any self-propelled snow plow, snow blower or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four (4) miles per hour;
- (6) Any vehicle owned or leased by the Town; and
- (7) Any electronic assistive mobility device as defined by the Town Code.
- (8) Electric ("E") Bikes as defined by state statute.

10.10.030 Prohibitions

- (1) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, motorcycle, or dirt bike to knowingly permit the operation of his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike on any street or sidewalk in the Town or on any public property, including but not limited to school property, playgrounds and parks, within the Town.
- (2) It shall be unlawful for any person to ride as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike and/or for any owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike to knowingly permit any person to ride as a passenger on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike operated in violation of subsection (1) above.
- (3) It shall be unlawful for any person to operate an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, ride as a passenger on an all-terrain vehicle, mini bike, mini

motorcycle, or dirt bike, and/or for any owner of an all-terrain vehicle or mini cycle to knowingly permit its operation on any private property, within the Town, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike.

- (4) This section shall not be applicable to any dirt bike being operated upon any road or highway provided that, (i) said dirt bike is properly and validly registered with the Connecticut Department of Motor Vehicles and (ii) is being operated in compliance with all applicable motor vehicle laws of the state.

10.10.040 Penalties.

- (1) Any person who operates an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection 10.10.030(1) and/or 10.10.030(2) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits its operation in violation of subsection 10.10.030(1) and/or 10.10.030(2) above, shall be fined one thousand dollars (\$1,000.00) for a first violation, shall be fined one thousand five hundred dollars (\$1,500.00) for a second violation, and shall be fined two thousand dollars (\$2,000.00) for a third or subsequent violation.
- (2) Any person aged sixteen (16) or older who rides as a passenger on an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection 10.10.030(2) above, or is the owner of an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike who knowingly permits a passenger to ride on his/her all-terrain vehicle, mini bike, mini motorcycle, or dirt bike in violation of subsection 10.10.030(1), shall be fined two hundred fifty dollars (\$250.00).
- (3) Any police officer that observes any person in violation of this section may detain such person for purposes of enforcing the provisions of this section. Any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike used in violation of this section shall be seized by any police officer and shall be forfeited to the Town, subject to any bona fide lien, lease or security interest in the all-terrain vehicle, mini bike, mini motorcycle, or dirt bike, including, but not limited to, a lien under General Statute § 14-66c.
- (4) Any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike ordered forfeited pursuant to this section shall be either (i) sold at public auction conducted by the Town, with the proceeds of such sale being paid to the treasurer of the Town who shall deposit such proceeds into the general fund of the municipality, or (ii) be destroyed by the Town. See Connecticut General Statute § 54-339.

10.10.050 Sign Posting Required for All-Terrain Dealers.

Each all-terrain vehicle dealer in Waterford offering for sale, lease or rental any all-terrain vehicle, mini bike, mini motorcycle, or dirt bike shall post this section in a prominent location at said all-terrain vehicle dealer's place of business. Any all-terrain vehicle dealer who violates any provision of this section shall be fined one hundred and fifty dollars (\$150.00).

10.10.060 Sale of Gasoline for Illegal Purposes.

- (1) No retail dealer of gasoline shall sell, offer for sale, or attempt to sell, any article or product represented as gasoline for use in an all-terrain vehicle, mini bike, mini motorcycle, or dirt bike as defined in this Ordinance, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined in General Statute § 14-1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for this purpose.
- (2) Signs with the words "FUELING OF UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps, subject to zoning sign permits.
- (3) An individual or retail dealer of gasoline who violates any provision of subsections (1) and/or (2) of this section shall be fined two hundred dollars (\$200.00) per each day the violation occurs.

10.10.070 Appeal.

An appeals hearing process shall be made available to the owner or lien holder prior to forfeiture of a motorized recreational vehicle as provided in Ordinance 10.09.070, entitled Hearing Procedures.

Effective Date: This ordinance shall take effect 15 days after final action by the RTM.



WATERFORD POLICE DEPARTMENT
41 AVERY LANE
WATERFORD, CT 06385-2819

Marc Balestracci
Police Chief



(860) 442-9451 TEL
mbalestracci@waterfordct.org

To: Paul Goldstein- Moderator of the RTM
Cc: David Campo-Town Clerk
From: Marc Balestracci, Chief of Police
Date: July 16, 2025
Re: Town Ordinance consideration

RECEIVED FOR RECORD
WATERFORD CT
2025 JUL 16 A 9:23
ATTEST: David Campo
TOWN CLERK

Moderator Goldstein,

In the State of Connecticut, including New London County, police departments have been challenged by the illegal operation of dirt bikes and ATVs on public roads. Oftentimes, large groups of individuals coordinate efforts to illegally use public roadways with these vehicles, which creates extremely dangerous and confusing situations. I requested a town ordinance in August of 2023 to address this concern and believe it may be before the RTM in August of 2025.

As the laws in Connecticut have recently authorized similar actions regarding street takeovers (Public Act 25-80), using vehicles rather than dirt bikes and ATVs, I am again requesting the RTM consider a Town of Waterford Ordinance in regards to street takeovers which will allow our police department to better enforce these illegal activities but also deter them from occurring in our town.

As the State of Connecticut has also approved enforcement cameras for speed and traffic light violations, I am respectfully requesting this too be referred to committee for consideration. There are many steps to this process, to which a town ordinance is one of the first. Should an ordinance be created for Waterford, the issue of enforcement cameras would still need to go before the Board of Police Commissioners as they are the Local Traffic Authority, the Board of Selectmen and the Board of Finance, for approvals, before seeking approvals from the State of Connecticut.

I have no plans to request these cameras in Waterford at this time, however, there may come a time in which the Town of Waterford may seek these tools to improve traffic safety in particular areas, to which that long process could begin with an ordinance already in place. Knowing that the previous ordinance request has taken two years to achieve a public hearing, I feel as though this should be reviewed at this time.

At the last Board of Police Commissioners regularly scheduled monthly meeting on July 14, 2025, the issue of enforcement cameras was discussed. It should be clear that the board supported the request for an ordinance, but did not endorse cameras to be installed at any location in Waterford during that meeting.

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Senate Bill No. 1284

Public Act No. 25-80

**AN ACT CONCERNING THE ILLEGAL USE OF CERTAIN VEHICLES
AND STREET TAKEOVERS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

Section 1. Section 14-390 of the general statutes is repealed and the
following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) Any municipality may, by ordinance, regulate the operation and
use, including hours and zones of use, of snowmobiles and all-terrain
vehicles in a manner not inconsistent with the provisions of this section
and sections 14-379 to 14-389, inclusive, or any regulations adopted
pursuant thereto, and may (1) prescribe a penalty for violation of such
ordinance in an amount not to exceed one thousand dollars for a first
violation, in an amount not to exceed one thousand five hundred dollars
for a second violation, and in an amount not to exceed two thousand
dollars for a third or subsequent violation, and (2) provide for the
seizure and forfeiture to the municipality of such all-terrain vehicle for
a violation of such ordinance, subject to any bona fide lien, lease or
security interest in the all-terrain vehicle, including, but not limited to,
a lien under section 14-66c.

(b) No all-terrain vehicle shall be forfeited under an ordinance
adopted pursuant to this section to the extent of the interest of an owner

Senate Bill No. 1284

or lienholder by reason of any act or omission committed by another person if such owner or lienholder did not know and could not have reasonably known that such all-terrain vehicle was being used or was intended to be used in violation of a municipal ordinance, and such owner or lienholder collects such all-terrain vehicle not later than ninety days after the date, whichever is later, that the municipality (1) posts notice on the municipality's Internet web site indicating that such all-terrain vehicle shall be forfeited if not collected within such ninety-day period, and (2) mails such notice to such owner or lienholder.

(c) Any all-terrain vehicle ordered forfeited pursuant to such an ordinance shall be sold at public auction conducted by the municipality or destroyed by the municipality. The proceeds of such sale shall be paid to the treasurer of the municipality, who shall deposit such proceeds into the general fund of the municipality.

Sec. 2. Section 14-390m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) Any municipality that adopts an ordinance pursuant to section 7-148 to regulate the operation and use on public property, including hours of use, of dirt bikes or mini-motorcycles may (1) prescribe a penalty for violation of such ordinance [(1)] in an amount not to exceed one thousand dollars for a first violation, in an amount not to exceed one thousand five hundred dollars for a second violation and in an amount not to exceed two thousand dollars for a third or subsequent violation, and (2) [in the case of a municipality with a population of twenty thousand or more, to] provide for the seizure and forfeiture to the municipality of such dirt bike or mini-motorcycle for violation of such ordinance, subject to any bona fide lien, lease or security interest in the dirt bike or mini-motorcycle, including, but not limited to, a lien under section 14-66c.

(b) No dirt bike or mini-motorcycle shall be forfeited under an

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ordinance adopted pursuant to this section to the extent of the interest of an owner or lienholder by reason of any act or omission committed by another person if such owner or lienholder did not know and could not have reasonably known that such dirt bike or mini-motorcycle was being used or was intended to be used in violation of a municipal ordinance, and such owner or lienholder collects such dirt bike or mini-motorcycle not later than ninety days after the date, whichever is later, that the municipality (1) posts notice on the municipality's Internet web site indicating that such dirt bike or mini-motorcycle shall be forfeited if not collected within such ninety-day period, and (2) mails such notice to such owner or lienholder.

(c) Any dirt bike or mini-motorcycle ordered forfeited pursuant to such an ordinance shall be sold at public auction conducted by the municipality or destroyed by the municipality. The proceeds of such sale shall be paid to the treasurer of the municipality, who shall deposit such proceeds into the general fund of the municipality.

(d) For the purposes of this section and section 7-148, (1) "dirt bike" means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in section 14-1. "Dirt bike" does not include an all-terrain vehicle, as defined in section 14-379, or a motor-driven cycle, as defined in section 14-1, and (2) "mini-motorcycle" has the same meaning as provided in section 14-289j.

Sec. 3. (NEW) (Effective October 1, 2025) (a) For purposes of this section, "street takeover" has the same meaning as provided in section 14-224 of the general statutes, as amended by this act.

(b) Any municipality may, by ordinance, prohibit a person from organizing, participating in or gathering with intent to observe and actually observing a street takeover. Such ordinance may (1) prescribe a penalty for violation of such ordinance in an amount not to exceed one

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thousand dollars for a first violation, in an amount not to exceed one thousand five hundred dollars for a second violation and in an amount not to exceed two thousand dollars for a third or subsequent violation, and (2) provide for the impoundment of any vehicle used in violation of this section until any fine imposed pursuant to subdivision (1) of this subsection is paid, any related charges, including, but not limited to, towing fees, are paid and any overdue property taxes on such vehicle imposed pursuant to chapter 203 of the general statutes are paid. The ordinance may provide that the vehicle is deemed forfeited to the municipality if, after six months following such impoundment, the owner or lienholder of such impounded vehicle has failed to pay such fines and related charges pursuant to this subsection.

Sec. 4. Subsection (b) of section 14-111 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(b) (1) Except as provided in subdivision (2) or (3) of this subsection, whenever the holder of any motor vehicle operator's license has been convicted or has forfeited any bond taken or has received a suspended judgment or sentence for any of the following violations, the commissioner shall, without hearing, suspend such person's operator's license or privilege to operate a motor vehicle in this state as follows: For a first violation of subsection (a) or subdivision (1) of subsection (b) of section 14-224 or section 14-110, 14-215 or 53a-119b, for a period of not less than one year and, for a subsequent violation thereof, for a period of not less than two years; for a violation of subsection (a) of section 14-222, [or subsection (c) of section 14-224,] for a period of not less than thirty days or more than ninety days and, for a subsequent violation thereof, for a period of not less than ninety days; for a violation of subdivision (2) or (3) of subsection (b) of section 14-224, for a period of not less than ninety days and for a subsequent violation thereof, for a period of not less than one year; for a first or second violation of

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subsection (c) of section 14-224, for a period of forty-five days and for a subsequent violation thereof, for a period of two years; for a first violation of subsection (b), (d) or (e) of section 14-147, for a period of not less than ninety days and, for a subsequent violation thereof, for a period of not less than five years; for a first violation of subsection (c) of section 14-147, for a period of not less than thirty days and, for a subsequent violation thereof, for a period of not less than one year.

(2) Notwithstanding the provisions of section 14-111b and except as provided in subdivision (3) of this subsection, whenever the holder of any motor vehicle operator's license or youth instruction permit who is less than eighteen years of age or whenever a person who does not hold an operator's license who is less than eighteen years of age has been convicted or has forfeited any bond taken or has received a suspended judgment or sentence for any of the following violations, the commissioner shall suspend such person's operator's license or privilege to obtain an operator's license as follows: For a first violation of subdivision (4) of subsection (a) of section 14-219 or subdivision (4) of subsection (b) of section 14-219, for a period of sixty days and, for a second violation thereof, for a period of ninety days and, for a third or subsequent violation thereof, for a period of six months; for a first violation of subsection (a) of section 14-222, for a period of six months and, for a subsequent violation thereof, for a period of one year; for a violation of subsection (c) of section 14-224, for a period of six months and, for a subsequent violation thereof, for a period of one year; for a first violation of section 14-296aa, for a period of thirty days and, for a second violation thereof, for a period of ninety days and, for a third or subsequent violation thereof, for a period of six months.

(3) The commissioner shall suspend the motor vehicle operator's license of any youth adjudged a youthful offender for a violation of section 14-215 or 14-222, subsection (b) of section 14-223 or subdivision (2) or (3) of subsection (b) or subsection (c) of section 14-224 for six

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months for a first offense and one year for a second or subsequent offense.

(4) Whenever any person who has not been issued a motor vehicle operator's license under section 14-36 is convicted of a second or subsequent violation of subsection (a) of section 14-36: (A) The commissioner shall suspend such person's privilege to operate a motor vehicle, (B) such suspension shall remain in effect for a period of ninety days, and (C) the commissioner shall not issue an operator's license to such person under section 14-36 until such period of suspension has expired and all applicable requirements for such license have been satisfied by such person.

Sec. 5. Subsection (g) of section 14-224 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(g) (1) Any person who violates the provisions of subdivision (2) of subsection (b) of this section shall be guilty of a class D felony.

(2) Any person who violates the provisions of subdivision (3) of subsection (b) of this section or subdivision (1) of subsection (c) of this section shall be guilty of a (A) class A misdemeanor for a first offense, and (B) class D felony for any subsequent offense, for which the court shall impose a fine of at least two thousand dollars.

(3) Any person who violates the provisions of subdivision (2) of subsection (c) of this section shall be guilty of a class B misdemeanor.

Sec. 6. Subsection (b) of section 51-164n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(b) Notwithstanding any provision of the general statutes, any person who is alleged to have committed (1) a violation under the provisions of

Senate Bill No. 1284

section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c) of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-26b, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4, subdivision (2) of subsection (a) of section 14-12, subsection (d) of section 14-12, subsection (f) of section 14-12a, subsection (a) of section 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h, section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a, section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of section 14-275c, section 14-276, subsection (a) or (b) of section 14-277, section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa, 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15, subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of

Senate Bill No. 1284

section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152, subsection (b) of section 17a-227, section 17a-465, subsection (c) of section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b, 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482, 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or 21-63, subsection (d) of section 21-71, section 21-76a or 21-100, subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a, section 21a-415a, 21a-421eee, 21a-421fff or 21a-421hhh, subsection (a) of section 21a-430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1) of subsection (n) of section 22-61l, subsection (f) of section 22-61m, subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b), subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344, subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250, section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or subdivision (1) of subsection (c) of section 23-65, section

Senate Bill No. 1284

25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a, section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a) of section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480, subsection (a) or (c) of section 43-16q, section 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331,

Senate Bill No. 1284

subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422 or 53-450 or subsection (i) of section 54-36a, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes, [and] the health code or an ordinance described in subdivision (5) of this subsection, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, or (5) a violation of any ordinance adopted by a town, city or borough pursuant to section 14-390, as amended by this act, section 14-390m, as amended by this act, or section 3 of this act for which the penalty does not exceed two thousand dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, shall follow the procedures set forth in this section.

Governor's Action:
Approved June 23, 2025

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

6B
(1-1)

MINUTES
REPRESENTATIVE TOWN MEETING
Regular Meeting
June 3, 2024

RECEIVED FOR RECORD
WATERFORD, CT
2024 JUN -5 P 1:51
ATTORNEY
TOWN CLERK

RTM Moderator Paul Goldstein called the June 3, 2024 Annual Meeting of the Representative Town Meeting to order at 7:01 P.M.

ROLL CALL

PRESENT: Kyrah Augmon-Bossa, Michael Bono, Jennifer Bracciale, Mark Campo, Erica Casper, Mary Childs, Timothy Condon, Thomas J. Dembek, Susan Driscoll, Timothy Fioravanti, Nicholas Gauthier, Paul Goldstein, Kristen Gonzalez, Ryan Healy, Matthew Keatley, Lindsay Khan, Kate Mackenzie, Shawn Monahan, Kayla Mullen, Kathleen Mullen Kohl, Theodore Olynciw, Danielle Steward-Gelinas, David Sugrue

ABSENT: Christina Jessuck, Harry Colonis, Ursula Moreshead

EX-OFFICIO MEMBERS PRESENT: First Selectman Robert J Brule; Selectman Richard Muckle

EX-OFFICIO MEMBERS ABSENT: Board of Education Chair Pat Fedor, Board of Finance Chair Glenn Patterson, Selectman Greg Attanasio

ALSO PRESENT: Town Clerk David L. Campo; Town Attorney Nicholas Kepple; Director of Finance Kim Allen.

AGENDA ITEM C – May 6, 2024 Minutes

MOTION by Steward-Gelinas, seconded by Driscoll, to accept the May 6, 2024 Minutes as presented with the following corrections: Childs voted against the RTM Budget on page 4. Moreshead was incorrectly spelled on page 2.

VOTING IN FAVOR: Unanimous

CORRESPONDENCE

The following items were received: A letter from resident Narciss Greene in regard to fields and playground that do not drain properly at Great Neck School; a letter from resident Thomas Kennedy asking to be considered for the next Senior Citizens Commission vacancy; update from Public Works Director Gary Schneider in regard to road work in town; Appointee report to the Oswegatchie Fire Station Building Committee from Ted Olynciw; letter of resignation from the Oswegatchie Fire Station Building Committee from Beth Sabilia. Copies of correspondence can be obtained from the office of the Town Clerk.

It was noted by Attorney Kepple that a full report should be requested of the Oswegatchie Fire Station Building Committee for the August meeting of the RTM.

PUBLIC COMMENT

Waterford Resident Narciss Greene, 29 Trumbull Rd, spoke in regard to the drainage issue with the field at Great Neck School and cited the need that the issue be placed with the School Building Committee.

CALL ITEM 1 – Clark Lane Middle School Chiller Replacement

PRESENTATION: Superintendent of Schools Thomas Glard, BOE Director of Finance Joseph Mancini
MOTION by Steward-Gelinas, seconded by Dembek, to approve a recommendation from the Board of Finance for a supplemental appropriation for the Board of Education in the amount of \$149,340 from the Unassigned General Fund Balance for the Clark Lane Middle School Chiller Replacement.
MOTION by Olynciw, seconded by Driscoll to reduce the contingency by \$42,023 for a new total of \$107,317.

Discussion ensued.

MOTION WITHDRAWN

ORIGINAL MOTION PASSED: 22-1-0 (Campo opposed)

MOTION by Dembek, seconded by Bracciale, to waive the fifteen day waiting period and consider the previous motion as emergency legislation.

MOTION PASSED: 21-2-0 (Campo and Childs opposed)

CALL ITEM 2 – Seasonal Wage Schedule

PRESENTATION: Director of Human Resources Christine Walters

Motion by Steward-Gelinas, seconded by Sugrue, to approve the Seasonal/Occasional Wage Schedule effective July 1, 2024 as presented. (See Attached)

MOTION PASSED: 22-0-1 (Gauthier abstained due to his employment through Senior Services)

CALL ITEM 3 – Town Hall Bathroom Project

PRESENTATION: Director of Public Works Gary Schneider

MOTION by Steward-Gelinas, seconded by Bono, to approve a recommendation from the Board of Finance for an additional appropriation of \$55,000 from the Undesignated Capital and Non-Recurring Designated Fund #205-31520 to line item #20511-57879 to cover Change Orders 1 through 3 and the anticipated additional work on the female stack of toilets at the Town Hall.

MOTION PASSED: Unanimous

CALL ITEM 4: Clerical/Technical Appropriation

PRESENTATION: Waterford Library Director Christine Johnson

Motion by Childs, seconded by Sugrue, to approve a recommendation from the Board of Finance for an additional appropriation of \$32,439 from the Unassigned Fund Balance of the General Fund to line item 10136-51210 (Clerical/Technical).

MOTION PASSED: Unanimous

CALL ITEM 5: Long Range Fiscal Planning Appointment

MOTION by Steward-Gelinas, seconded by Condon, to consider an appointment to the Long Range Fiscal Planning Committee due to the resignation of Kevin Girard.

MOTION PASSED: Unanimous

NOMINATION by Steward-Gelinas, seconded by Keatley, to appoint Mark Campo to the Long Range Fiscal Planning Committee.

VOTING IN FAVOR: Unanimous

CAMPO appointed

4B

NEW BUSINESS:

Discussion ensued in regard to the Great Neck drainage issue. It was the belief of some members that the Board of Education was going to begin the process of researching the issue in the next fiscal year.

Discussion ensued in regard to the resignation of Beth Sabillia from the Oswegatchie Fire Station Building Committee.

MOTION by Driscoll, seconded by Condon, to nominate Robert Swansen to the Oswegatchie Fire Station Building Committee.

Discussion ensued.

A MOTION to MOVE the question failed.

Discussion continued.

VOTING IN FAVOR of Robert Swansen: 19-4-0 (Bracciale, Healy, Monahan, and Sugrue voted against)
SWANSEN appointed

MOTION by Condon, seconded by Driscoll, to refer to the Public Protection and Safety Committee review of ordinance 2.36 and HB-5279 for legal review and recommendation of assigned duties to the Director of Fire Services.

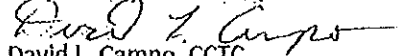
First selectman Robert Brule reminded the body that a Millstone Drill would be taking place the next day.

RTM Member Driscoll reminded the body that we need to address an upcoming vacancy to the School Building Committee in August.

MOTION by Driscoll, seconded by Condon, to adjourn at 8:21 P.M.

MOTION PASSED: Unanimous

Respectfully Submitted,



David L. Campo, CCTC

Waterford Town Clerk

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
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Public Protection and Safety Meeting Minutes August 29th 2024

1.) Called Meeting to order at 1830

3.) Roll Call- Present- Gauthier, Condon, Dembek, Mullen Koh
Absent- Monahan,

Others Present: RTM Member Driscoll, Fire Marshal Dubicki, Town Attorney Avena

4.) Public Comment- None

5.) To consider and act upon the August 14th 2024 meeting minutes
Motion to accept by Gauthier, second by Dembek
Motion passed 4-0

6.) Consider and possible action on items referred to committee:

A.) Open Burn Ordinance, RTC 12/04/23

Fire Marshal Dubicki present explained the purpose of the proposed ordinance in that this would give him the ability to cite individuals whom do not comply with extinguishment orders on open burning. Fire Marshal explained that he currently has the authority to enforce regulations and this ordinance does not grant any other power except that to cite those in violation. Committee held a discussion on the open burn process currently in place in town. Town attorney will take the Marshals and committee comments and produce a document for the committee to review.

B.) ATV and Dirt Bike Ordinance Consideration, RTC 10/02/23

Committee reviewed the request from the Police Department with the Town Attorney. Committee expressed needed changes to the various ordinances presented last time by the Chief of Police. The committee reviewed a few ordinances with the attorney and expressed that the Town of Guilford offers the best template to build off of. Town attorney will review Guilford ordinance along with committee comments and produce a document for review.

C.) Review of ordinance 2.36 and HB-5279 for legal review and recommendation of assigned duties to the Director of Fire Services, RTC 06/03/24

Town Attorney Avena presented two possible ordinances to address the fire service issue for the line of duty death determination. The Attorney gave a brief explanation on both and emphasized the need to act quickly as the Town must address this issue before October first of this year. The committee reviewed both documents and asked questions of both. After some consideration a general consensus to utilize the ordinance which creates a committee was chosen as the better option. Multiple modifications were proposed. The Attorney also reviewed

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2024 SEP - 9 1 P 40
ATTN: David I. Avena
TOWN CLERK

6B

the language the committee had created last meeting to address future issues in alignment with the charge.

Motion by Gauthier, Second by Dembek: To move the proposed amendment to the Waterford Code of Ordinances, Chapter 2.116.110- Line of Duty Determination Committee to a public hearing for September 11th at 6:30 PM.

Motion Passed 4-0

7.) Adjournment- Motion by Gauthier, Second by Mullen-Kohl, meeting adjourned at 1945

Respectfully submitted,

Timothy Condon

2.36.030 - Structure; authority.

The Waterford Fire Department shall be staffed through volunteers and/or paid individuals, who shall operate out of town facilities and/or publicly or privately owned entities with which the town has contracted. Such privately owned entities may include, but are not limited to Waterford Fire Engine Co. No. 1, Inc., Quaker Hill Fire Company, Incorporated, Goshen Fire Department, Incorporated, Oswegatchie Fire Company, Cohanzie Fire Company No. 5 and Waterford Ambulance Association.

- A. The board of selectmen shall appoint a director of fire services.
- B. The director of fire services is responsible to the first selectman and is charged with managing the Waterford Fire Department and directing the coordination of all fire, rescue, emergency medical services and on-scene fire ground operations. The director of fire services may divide the town into multiple geographical districts for purposes of providing coverage, and may redistrict from time to time.

(Amend. of 10-7-19(2))

2.36.040 - Waterford Fire Department Personnel.

Any individual, volunteer or paid, wishing to serve in the Waterford Fire Department, must meet and maintain the qualifications for said volunteer or paid position as set forth by the director of fire services and director of human resources. Such volunteer or paid individuals are personnel of the Waterford Fire Department.

All personnel are responsible for operating in conformance with unified policies, rules and procedures established by the director of fire services. The director of fire services and/or his/her designee are responsible for ensuring that such policies, rules and procedures are followed.

(Amend. of 10-7-19(2))

2.36.050 - Powers and duties of the director of fire services.

- A. The director of fire services shall establish standard policies, rules and procedures for providing fire-fighting, rescue and other emergency and safety services throughout the town as from time to time shall be deemed appropriate. Such policies, rules and procedures shall be consistent with policies and direction from the first selectman and shall consider, and comply with as necessary, applicable state and federal law; applicable National Fire Protection Association (NFPA) standards and/or other health and safety standards; and applicable provisions of the Town Charter, personnel policies and collective bargaining agreements.
- B.

The director of fire services shall coordinate the training program of the Waterford Fire Department; take appropriate steps to improve efficiency, recruitment and community awareness; develop specifications for needed equipment and determine purchase requirements; evaluate risk management issues; develop annual budget recommendations; and develop strategic and tactical plans for future equipment and facilities.

- C. The director of fire services shall plan new programs and take necessary steps to have such programs implemented and represent the Waterford Fire Department before the board of selectmen, board of finance, representative town meeting, other town agencies, other state and local agencies and the general public. The director of fire services shall analyze the needs of the Waterford Fire Department and coordinate programs to meet those needs.
- D. The director of fire services shall make recommendations to the first selectman regarding the direction, discipline, suspension and relief from active duty of any paid individual or volunteer in the Waterford Fire Department, subject to the provisions of town ordinances, personnel policies and applicable collective bargaining contracts.
- E. The director of fire services shall maintain, or cause to be maintained, a current roster of all Waterford Fire Department personnel and their qualifications.

(Amend. of 10-7-19(2))

January 18, 2025

Kathleen Jacques
10 Magonk Point Rd
Waterford, CT 06385

David Campo, Town Clerk
Town of Waterford
15 Rope Ferry Rd
Waterford, CT 06385

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2025 JAN 21 A 9:53

ATTEST: *David L. Campo*
TOWN CLERK

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(1-9)

D

RE: Letter to RTM regarding Town of Waterford Code of Ordinances, Title 9, Chapter 9.08 Mass Gatherings

Dear Moderator Driscoll:

I respectfully request that the Waterford RTM review and take action to revise the Town of Waterford Ordinance Title 9, Public Peace, Morals & Welfare, Chapter 9.08 Mass Gatherings, and its applicability to gatherings on public property. A copy of the ordinance is attached.

In the fall of 2025, community members notified the Town Police Chief of plans for an assembly of 200 to 1999 people for a peaceful rally. The Police Chief advised them that the activity could require the approval of the Board of Selectmen and be subject to the provisions of Chapter 9.08, which applies to "Mass Gatherings." After receiving approval from the Board of Selectmen at their meeting on 09/09/2025, the organizers were provided with a copy of the license application.

The license application and the conditions for issuance proved burdensome and ultimately insurmountable to carry out a planned rally of three hours or less; for example, requiring thirty days advance notice; a plan for portable toilets, security and fire protection; insurance indemnification, etc.

While it is certainly necessary that the safety and well-being of all people should be a priority for the Town government, in this case the determination that this activity should be subject to the provisions of Ordinance 9.08 revealed that: 1. the definitions are too broad, 2. the statute was improperly applied, or 3. the existing license application is prohibitive for a gathering whose *sole* purpose is to exercise the people's First Amendment rights of free speech and assembly.

State of Connecticut law permits towns to regulate public gatherings, and a wide range of procedures and permitting requirements have been adopted. In the City of New London, a site permit is completed that requires the date, location, number of attendees expected, and a determination of whether a noise permit is required. The administrative

assistant communicates with the city officials involved and events have been held with as little as forty-eight hours' notice. The Town of East Lyme has a Mass Gathering Ordinance in its municipal code, but gatherings of this type are exempt from permit requirements per East Lyme Town Charter Section 92.09. ACLU Connecticut has a publication that explains the rights of protestors and guidelines for permitting.

We respectfully request that the RTM revise or amend the Town Code of Ordinances and clarify the permitting procedure to ensure that the First Amendment rights of the citizens of Waterford and the community at large are protected and guaranteed.

Sincerely,

Kathleen Jacques

Attachments (3): Town of Waterford Code of Ordinances, Title 9, Chapter 9.08 Mass
Gatherings
East Lyme Town Charter Section 92.09
ACLU Connecticut Know Your Rights

Chapter 9.08 - MASS GATHERINGS

Sections:

9.08.010 - Definitions.

For the purposes of this chapter, the words set out in this section shall have the following meanings:

"Assembly" means a company of persons gathered together at any location at any single time for a purpose.

"Persons" means any individual, partnership, corporation, firm, company, association, society or group.

(Prior code § 12-42)

9.08.020 - Exemptions.

This chapter does not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, hotel, motel, building owned by any fraternal, charitable, religious or educational organization, town-owned property, or other similar permanently established place of assembly for assemblies which do not exceed by more than two hundred fifty people the maximum seating capacity of the structure where the assembly is held, provided that the nature of the assembly is consistent with the customary use of the facility.

(Prior code § 12-50)

9.08.030 - License—Required—Fee.

A. No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of more than two hundred people, whether on public or private property, unless a license to hold the assembly has first been issued by the board of selectmen. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.

B. A separate license shall be required for each location at which such number of people assemble or can reasonably be anticipated to assemble and shall include the number of days and the hours of assembly. The fee for each license shall be ten dollars.

C. A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to or permit to assemble at the licensed location more than the maximum permissible number of people.

D. The licensee shall not permit the sound of the assembly to carry unreasonably beyond the boundaries of the location of the assembly.

(Prior code § 12-43)

9.08.040 - License—Application.

A. Application for a license to hold such an actual or anticipated assembly shall be made in writing to the board of selectmen at least thirty calendar days in advance of such assembly for groups of under two thousand and at least sixty calendar days for larger groups and shall be accompanied by the bond, or other surety satisfactory to the board of selectmen, required by Section 9.08.050 B10 and the license fee required by Section 9.08.030 B. At this time, the first selectman shall provide the applicant with a written list of any additional requirements which must be met in order for the assembly to be held.

B. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there are no officers, by all members of such association, society or group.

C. The application shall contain and disclose:

1. The name, age, residence and mailing address of all persons required to sign the application by subsection B of this section and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding ten percent or more of the stock of such corporation;
2. The address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owner or owners of all such property;
3. Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner or owners of all such property that the applicant has permission to use such property for such an assembly;
4. The nature or purpose of the assembly;
5. The total number of days or hours during which the assembly is to last;
6. The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning regulations of the town if the assembly is to continue overnight;
7. The maximum number of tickets to be sold, if any;
8. The plans of the applicant to limit the maximum number of people permitted to assemble;
9. The plans for supplying potable water including the source, amount available and location of outlets;
10. The plans for providing toilet facilities, including the source, number, location and type, and the means of disposing of waste deposited;
11. The plans for holding, collecting and disposing of solid waste material;
12. The plans, if any, to illuminate the location of the assembly, including the source and amount of power and the location of lamps;
13. The plans for parking vehicles, including size and location of lots, points of highway access and interior roads, including routes between highway access and parking lots;
14. The plans for camping facilities, if any, including facilities available and their location;
15. The plans for security, including the number of guards, their deployment, and their names, addresses, credentials and hours of availability;
16. The plans for fire protection, including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment;
17. The plans for sound control and sound amplification, if any, including the number, location and power of amplifiers and speakers;

18. The plans for food concessions and concessioners who may be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers;

19. Plans for providing medical service.

(Prior code § 12-44)

9.08.050 - License—Conditions for issuance.

Before he may be issued a license, the applicant shall first:

A. Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly; and provided, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning regulations or health ordinances of the town.

B. Provide proof that any food concessions to be in operation on the grounds will have sufficient capacity to accommodate the number of persons expected to be in attendance and that he will furnish at his own expense, before the assembly commences, the following:

1. Potable water, from a source approved by the local director of health, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day and, if the assembly is to continue overnight, water for bathing at the rate of at least ten gallons per person per day;
2. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every two hundred females and at least one toilet for every three hundred males, together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with all state and local laws and regulations;
3. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least two and one-half pounds of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight-fitting lids and personnel to perform the task;
4. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five footcandles, but not to shine unreasonably beyond the boundaries of the location of the assembly;
5. A parking area inside the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons;
6. If the assembly is to continue overnight, camping facilities in compliance with all state and local requirements, sufficient to provide camping accommodations for the maximum number of people to be assembled;
7. Security guards, either regularly employed, duly sworn, off-duty police officers, or private guards, licensed in this state, sufficient to provide adequate security for the

maximum number of people to be assembled at the rate of at least one security guard for every seven hundred fifty people, or as determined by the chief of police;

8. Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards for the location of the assembly and sufficient emergency personnel to operate efficiently the required equipment;

9. All reasonably necessary precautions to ensure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly;

10. Any undertaking by a person or persons of sufficient financial worth, which:

a. Shall indemnify and hold harmless the town or any of its agents, officers, servants or employees from any liability or causes of action which might arise by reason of granting the license, and from any cost incurred in cleaning up any waste material produced or left by the assembly,

b. Shall guarantee the town the payment of any expenses which may accrue as a result of the gathering, and

c. Shall guarantee reimbursement of ticket holders if the event is canceled;

11. Medical personnel and ambulances as may be required by the director of health.
(Prior code § 12-45)

9.08.060 - License—Processing time.

The completed application for a license shall be processed within twenty calendar days for gatherings less than two thousand, or thirty calendar days for gatherings over two thousand, of its receipt and shall be issued if there is compliance with all conditions.

(Prior code § 12-46)

9.08.070 - License—Revocation.

A license issued under the provisions of this chapter may be revoked by the first selectman, or his designated representative, at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if in the best interest of public safety.

Source: East Lyme Town Charter

§ 92.09 EXCLUSIONS.

This chapter shall not apply to the following assemblies:

- (A) Religious services;
 - (B) Political meetings and demonstrations;
 - (C) Funerals;
 - (D) Weddings;
 - (E) Assemblies sponsored or authorized by any town agency;
 - (F) Athletic events;
 - (G) Assemblies conducted within any permanent structure; and
 - (H) Assemblies required to be licensed by other provisions of the Connecticut General Statutes or town ordinances.
- (Ord. passed 9-23-1982)

<https://www.acluct.org/know-your-rights/know-your-rights-free-speech/>

The First Amendment protects your right to assemble and express your views through protest. However, police and other government officials are allowed to place certain narrow restrictions on the exercise of speech rights. Make sure you're prepared by brushing up on your rights before heading out into the streets.

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I'm organizing a protest

Your rights

- Your rights are strongest in what are known as "traditional public forums," such as streets, sidewalks, and parks. You also likely have the right to speak out on other public property, like plazas in front of government buildings, as long as you are not blocking access to the government building or interfering with other purposes the property was designed for.
- Private property owners can set rules for speech on their property. The government may not restrict your speech if it is taking place on your own property or with the consent of the property owner.
- Counterprotesters also have free speech rights. Police must treat protesters and counterprotesters equally. Police are permitted to keep antagonistic groups separated but should allow them to be within sight and sound of one another.
- When you are lawfully present in any public space, you have the right to photograph anything in plain view, including federal buildings and the police. On private property, the owner may set rules related to photography or video.

Do I need a permit?

- You don't need a permit to march in the streets or on sidewalks, as long as marchers don't obstruct car or pedestrian traffic. If you don't have a permit, police officers can ask you to move to the side of a street or sidewalk to let others pass or for safety reasons.

- Certain types of events may require permits. These include a march or parade that requires blocking traffic or street closure; a large rally requiring the use of sound amplifying devices; or a rally over a certain size at most parks or plazas.
- While certain permit procedures require submitting an application well in advance of the planned event, police can't use those procedures to prevent a protest in response to breaking news events.
- Restrictions on the route of a march or sound equipment might violate the First Amendment if they are unnecessary for traffic control or public safety, or if they interfere significantly with effective communication to the intended audience.
- A permit cannot be denied because the event is controversial or will express unpopular views.
- If the permit regulations that apply to your protest require a fee for a permit, they should allow a waiver for those who cannot afford the charge.

What to do if you believe your rights have been violated

- When you can, write down everything you remember, including the officers' badge and patrol car numbers and the agency they work for.
- Get contact information for witnesses.
- Take photographs of any injuries.

Once you have all of this information, you can file a written complaint with the agency's internal affairs division or civilian complaint board.