Town of Mansfield
Agenda Item Summary

To:	Town Council
From:	Matt Hart, Town Manager
CC:	Maria Capriola, Assistant Town Manager; Cynthia van Zelm, Executive Director of the Mansfield Downtown Partnership, Inc.; Kevin Deneen, Town Attorney
Date:	November 9, 2015
Re:	Proposed Amendments to Ordinance Regarding Alcoholic Beverages

Subject Matter/Background

At the October 13, 2015 Council meeting, staff presented a series of amendments to ordinances, new ordnances, policies, and procedures related to alcoholic beverages, dog waste control, Streets and Sidewalks, and the Mansfield Town Square. At the meeting, the Town Council appointed Councilors Kegler, Kochenburger, Moran, Raymond, and Shapiro to serve on the Town's Ordinance and Review Subcommittee to review the following:

1) Proposed Amendments to Ordinance Regarding Alcoholic Beverages
2) Proposed Ordinance Regarding Dog Waste Control
3) Proposed Ordinance Regarding the Mansfield Town Square
4) Proposed Amendments to Ordinance Regarding Streets and Sidewalks
5) Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square
6) Proposed Policies and Procedures for the Use of Alcohol on the Mansfield Town Square
7) Proposed Policies Regarding Street Performers in Mansfield Town Square

The Subcommittee met on October 26, 2015 and moved to refer the proposed Amendments to the Alcoholic Beverages Ordinance as well as the proposed Ordinance Regarding Dog Waste Control to the Council for the purpose of setting a public hearing date.

The Subcommittee began its discussion of the Proposed Ordinance Regarding the Mansfield Town Square and tabled this item to a future meeting.

Recommendation

The Ordinance Development and Review Committee has referred the proposed Amendments to the Alcoholic Beverages Ordinance to the Council for the

Town of Mansfield
Code of Ordinances
"Amendments to Ordinance Regarding Alcoholic Beverages"
~~*October 13*~~*November 9, 2015 Draft*

Chapter 101: Alcoholic Beverages
Section 101-5, Possession and Consumption of Alcoholic Liquor

A. **Except as otherwise permitted by subsection (B) hereof**, no person shall consume any alcoholic liquor, or have in his or her possession any open container of alcoholic liquor, while upon or within the limits of any public highway, public area or parking area within the Town of Mansfield. The possession of an open container of alcoholic liquor or consumption therefrom by any person while in a motor vehicle parked within or upon a public area shall also be a violation hereof.

B. Exceptions.
   1. **Consumption of alcoholic liquor and possession of any open container of alcoholic liquor is permitted during any public function, festival or celebration being conducted within a public building, public highway, sidewalk or parking area or on public land pursuant to a written permit issued by the town manager, or person designated by the town manager to issue such permits, authorizing the sale, service or distribution of alcoholic liquor at or in connection with such function, festival or celebration.**

   2. **An application for a permit shall be in writing directed to the town manager. The application shall state the name and address of responsible officials of the organization sponsoring the function, festival or celebration (event), shall specify the parts of the public land, public building, public highway, sidewalk or parking area to be used during the event, specify the beginning and ending time of the event and it if continues for more than one (1) day, the hours in each day it is to be conducted, the number of people to be in attendance at the event, whether the event is open to the public; and arrangements for supervision. The application shall include alcohol liability insurance. The certificate of insurance must specify the "Town of Mansfield, its officers, employees and agents" as additional insured parties and must be submitted to the Town Manager together with the application. The application and accompanying documentation shall be filed at least ten (10) calendar days before the first day of the event ~~and the permit shall be issued or denied in writing at least four (4) calendar days before the first day of the event.~~ The permit shall be issued if all of the required information is provided, the application is made at least ten (10) days before the event, the town manager or his designee determines that the event will be open to the public and that all necessary permits, licenses and approvals have been obtained from all government authorities having jurisdiction including, but not**

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Code of Ordinances
"Amendments to Ordinance Regarding Alcoholic Beverages"
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Date:	November 9, 2015
Re:	Proposed Ordinance Regarding Dog Waste Control

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Town of Mansfield
Code of Ordinances
"Ordinance Regarding Dog Waste Control"
October 13, 2015 Draft

Chapter 102. Animals

Article II [New] Dogs

Section 102-13. Title.
This Article shall be known and may be cited as "The Dog Waste Control ordinance."

Section 102-14. Legislative Authority.
This Article is enacted pursuant to the provisions of Sections 7-148 and 7-152c of the Connecticut General Statutes.

Section 102-15. Definitions.
When used in this Article, the following words, terms and phrases, and their derivations shall have the meanings ascribed to them in this Section, except where the content clearly indicates a different meaning.

> DOG: shall mean any member of the canine species, male, female, neutered male or spayed female.
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> OWNER: shall mean any person or persons, firm, association, partnership, LLC or corporation having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property rights to a dog, or in the case of a person under the age of 18, the person's parent or legal guardian. A dog shall be deemed to be harbored if it is fed or sheltered for Three (3) consecutive days.
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> PUBLIC PROPERTY: shall mean town owned parks, the Town Square area, recreation areas, trails, playing field, school grounds, sidewalks, easements, rights of way and the traveled portion of public streets.
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> PRIVATE PROPERTY OF ANOTHER: shall mean property of any person or persons, firm, association, partnership, LLC or corporation, other than property of the owner or of the owner's spouse, children, mother, father or sibling.

Section 102-16. Removal of Dog Waste.
If any dog shall defecate on any public property or the private property of another, the owner of such dog shall immediately use a plastic bag or other suitable container to remove or cause to be removed from the property all feces deposited by the dog and deposit it in an appropriate waste receptacle. If such feces are not removed or so deposited, the owner of the dog shall be in violation of this Article.