



**TOWN OF MANSFIELD  
ORDINANCE DEVELOPMENT AND REVIEW SUBCOMMITTEE  
SPECIAL MEETING**

**Wednesday, March 16, 2016  
Audrey P. Beck Municipal Building  
Conference Room B**

**6:30 PM**

**AGENDA**

Call to Order/Roll Call

Approval of Minutes from 01/25/16

1. Proposed Policies and Procedures Regarding the Mansfield Town Square
  - a. Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square
  - b. Proposed Policies and Procedures for the Use of Alcohol on the Mansfield Town Square
  - c. Proposed Policies Regarding Street Performers in Mansfield Town Square
2. Proposed Amendments to Ordinance Regarding Streets and Sidewalks
3. Future Meeting Dates
4. Public Comment

Adjournment

# SPECIAL MEETING – ORDINANCE DEVELOPMENT AND REVIEW SUBCOMMITTEE

January 25, 2016

DRAFT

## 1. CALL TO ORDER

Mayor Paul Shapiro called the meeting to order at 6:00 p.m.

## 2. ROLL CALL

Present: Kochenburger (6:10 pm), Moran, Raymond, Shapiro (Chair)

Excused: Kegler

Additional Councilors Present: Sargent, Shaiken

Staff Present: Town Manager Matt Hart, Downtown Partnership Director Cynthia van Zelm

## 3. APPROVAL OF MINUTES

Ms. Moran moved and Ms. Raymond seconded to approve the minutes of the December 21, 2015 special meeting as presented. Motion passed unanimously.

## 4. DISCUSSION OF PROPOSED ORDINANCE REGARDING THE MANSFIELD TOWN SQUARE AND RELATED POLICIES

### a. Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square

Members discussed whether to remove “Storrs Center” from Section 138-3 and decided to raise the question at the Council meeting following the public hearing.

### b. Proposed Policies and Procedures for the Use of Alcohol on the Mansfield Town Square

By consensus the Committee agreed to make the following changes:

- Change the first policy to read, “The Mansfield Town Square shall be available for events when...”
- Remove the second sentence in the first paragraph which begins, “The Mansfield Town Square affords many opportunities...”
- Change the second sentence in the second paragraph to read, “This policy is intended to provide members of the community with fair access to the Mansfield Town Square...”

Committee members also raised the issue of competition between vendors in the square and Storrs Center businesses.

By consensus the second policy statement was accepted as written.

### c. Proposed Policies Regarding Street Performers in Mansfield Town Square – not discussed

## 5. FUTURE MEETING DATES

Ms. Moran moved and Ms. Raymond seconded to schedule regular meetings at 5:30 p.m. prior to the second Town Council meeting of each month.

Motion approved unanimously.

## 6. PUBLIC COMMENT

No members of the public offered comments.

7. ADJOURNMENT

Ms. Moran moved and Ms. Raymond seconded to adjourn the meeting at 6:50 p.m.  
The motion passed by all members present.

Respectfully submitted,

Mary Stanton, Mansfield Town Clerk.



**Town of Mansfield**  
**Code of Ordinances**  
"Ordinance Regarding the Mansfield Town Square"  
*Adopted on January 11, 2016*

**Chapter 138. [New] Mansfield Town Square**

**Section 138-1. Title.**

This Chapter shall be known and may be cited as "The Mansfield Town Square Ordinance."

**Section 138-2. Legislative Authority.**

This Article is enacted pursuant to the provisions of Sections 7-148, 8-188 and 7-152c of the Connecticut General Statutes.

**Section 138-3. Purpose.**

The Mansfield Town Square is intended to be a public forum in which the rights secured in the First Amendment and Connecticut Constitution are fully protected.

The Mansfield Town Council recognizes that as intended the Mansfield Town Square is a very valuable public resource. The Council is committed to maximizing the appropriate use of the Mansfield Town Square as a focal point of community activity in the best interests of the residents of the Town. The Town of Mansfield, acting through its Town Council, may enter into an operations agreement with a private entity to manage, operate, oversee, and develop procedures that will ensure the best use of the Mansfield Town Square for all of the people of Mansfield, within the limits of public safety.

**Section 138-4. Mansfield Town Square Defined.**

The Town Square consists of the Mansfield Town Square and adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Road Extension.

**Section 138-5. Compliance with Ordinances, Policies and Procedures Required.**

All persons using land and facilities situated within the Mansfield Town Square shall comply with all ordinances, policies and procedures adopted and/or enacted by the Town. Said ordinances, policies and procedures shall be enforced by the police and by other agents, officials and employees of the Town of Mansfield designated in writing by the Town Manager. Violation of any such regulation may result in the issuance of a citation carrying a fine as set forth in the regulations which if not paid within ten days of issuance shall be doubled. Fines may be enforced and collected by way of Chapter 129 of the Code of the Town of Mansfield.

The use of tobacco products, including lit cigarettes, cigars, pipes and the use of other tobacco products is prohibited within the Town Square.

**Section 138-6. Adoption of Procedures.**

Pursuant to this Chapter, Town Council may develop and enact such ordinances, policies and procedures as may be necessary to ensure the fair, equitable, safe, orderly and frequent use of the Town Square and public places situated in the Mansfield Town Square for the enjoyment of the public.



## **Policies and Procedures Regarding Public Use of the Mansfield Town Square**

The Mansfield Town Square has been developed as a unique and vibrant public space, serving as a focal point for community activity. ~~The Mansfield Town Square affords many opportunities for public events and community uses.~~ The Mansfield Town Square includes the Town Square and the adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Road Ext.

The Mansfield Town Square provides a potential venue for activities sponsored by members of the community, the Mansfield Downtown Partnership, the Town of Mansfield, the University of Connecticut, and Downtown Storrs businesses, ~~as well as by members of the community and other organizations.~~ This policy is intended to provide ~~apply to those~~ members of the community, ~~to provide them with~~ fair access to the Mansfield Town Square, and to coordinate the various activities so that they do not conflict with each other or with general pedestrian and/or patron activities.

These policies and procedures apply to events that are at scheduled days and times; or entail the use of equipment and materials such as sound equipment, chairs, tables; or include a programmed activity; or include invitation/promotion to the general public. A separate policy is in effect for street performances.

### **Policies**

1. ~~The Mansfield Town Square shall be available to civic, nonprofit, and charitable groups, merchant groups, or individuals~~ for events when it is not actively being used, or scheduled to be used, by the Mansfield Downtown Partnership, the Town of Mansfield, or the University of Connecticut, or for other previously scheduled events.
2. Events may be scheduled to commence at or after 9:00 AM and shall end no later than 10:00 PM. Exceptions to these hour limitations may be approved by the Town Manager or his or her designee on a case-by-case basis for unique events subject to such conditions as he or she may deem appropriate. For events taking place over the course of more than one day, each calendar day shall be deemed to be a separate event.
3. In order to promote equal access, events will not be scheduled more than six (6) months in advance (unless the event is an annual event or otherwise waived) and no person or group may schedule more than two (2) weekend events per month or four (4) weekday events per month. If individuals are acting in concert to avoid this limitation, the Town or Mansfield Downtown Partnership, Inc. may determine that they are acting as a single group.
4. Town events and scheduled events shall have priority over unscheduled events. If an unscheduled individual or group refuses to relocate or vacate the Mansfield Town Square for a Town event or scheduled event, that individual or group shall be deemed to be trespassing and shall be subject to removal or arrest.
5. Individuals may use the on-street parking spaces in front of Eight Royce Circle to unload and



load vehicles. As soon as vehicles are unloaded, all event vehicles must be moved to either the Storrs Center parking garage or the Dog Lane parking lot. Up to six complimentary parking passes for the Dog Lane parking lot will be issued prior to the event. The Mansfield Downtown Partnership and the Town of Mansfield are not responsible for the loss of any personal property left on, in, or about the user's vehicle regardless of cause and are not responsible for any damage to the user's vehicle while parked in the Storrs Center parking garage or the Dog Lane parking lot. For more information, contact the Mansfield Downtown Partnership at 860.429.2740.

6. Use of the Mansfield Town Square shall comply, at all times, with the ordinances of the Town of Mansfield (including, without limitation, the Town's noise ordinances) as well as state and federal laws. In addition to any penalties imposed by law, the failure of individuals or groups using the Mansfield Town Square to comply with the laws of the state and federal governments, and to obtain any other necessary permits or licenses, shall be grounds for cancellation of a scheduled event, and suspension or revocation of any future right to use the Mansfield Town Square. Scheduling the use of the Mansfield Town Square shall not be a substitute for obtaining any other permits or licenses which may be necessary, such as a Temporary Food Establishment Permit issued by the Eastern Highlands Health District. Audiences or participants for events on the Mansfield Town Square may not spill into the streets or impede pedestrian, bicycle, or vehicle access at any time. Should the number of participants and attendees exceed the space available, Partnership and/or Town staff or local, state, or University of Connecticut police may shut down the event. If an event is shut down for any reason, the Partnership may deny future use of the Mansfield Town Square by the applicant.
7. Individuals or groups using the Mansfield Town Square will be responsible for picking up and removing any refuse from their use of the Town Square and shall comply with any additional requirements established as part of the approval process. Failure to do so may prevent use of the space in the future.
8. Sound amplification equipment shall be adjusted to the minimum volume level necessary to be heard within the Mansfield Town Square. Sound amplification equipment shall be directed toward the interior of the Mansfield Town Square.
9. If public restrooms in the Nash-Zimmer Transportation Center are intended to be utilized for an event, it must be noted on the Request for Use of the Mansfield Town Square. Restrooms in commercial businesses are not to be used by event staff or attendees.
10. Prior approval is required from the Partnership to attach any equipment, signage, or decorations to the stage roof or any other structure on the Town Square. No items may be staked in the lawn, landscaping, or any other surface on the Town Square. No items may be attached to street signs at any time. Users are responsible for repairing any damage to any structures, lawns, plantings, pavers, etc. Failure to repair any such damage may result in the Town performing those repairs and billing the party responsible. Damage or failure to repair damage may result in future permits being denied.
11. Fundraising will be allowed at specific locations on the Mansfield Town Square by non-profit



- organizations and government sponsored organizations such as schools.
12. No overnight camping or sleeping is allowed in the Mansfield Town Square.
  13. If alcohol is to be served, all pertinent State permits must be obtained and all Town and State laws and regulations must be followed. A planning meeting shall be set up with the Mansfield Downtown Partnership, Inc. to review requirements. Permission to serve alcohol must be secured in writing from the Town Manager prior to the event. An additional list of policies and procedures applies if alcohol is to be served.
  14. The Mansfield Downtown Partnership, Inc. reserves the right to cancel an event if public safety is at risk.
  15. The Town of Mansfield shall not be responsible for injury to any person using the Mansfield Town Square or for any damage done to property owned by any user of the Mansfield Town Square.
  16. Breach of peace or disorderly conduct by users of the Mansfield Town Square will not be tolerated. If an event attracts crowds which are sufficiently large or disorderly that they impede vehicular or pedestrian passage through the area, the Town may halt an event or restrict the areas where crowds are allowed to remain.
  17. Individuals or groups who violate these rules will not be permitted to schedule future events in the Mansfield Town Square and will be deemed to be trespassing if they engage in unscheduled events in the Mansfield Town Square.

### Procedures

1. Individuals or groups wishing to schedule the use of any portion of the Mansfield Town Square may do so by completing and submitting the form entitled Request for the Use of Mansfield Town Square to the Mansfield Downtown Partnership (860.429.2740) not less than six weeks prior to the time for the scheduled event, unless otherwise waived. Applicants must provide a brief description of the event, its location within the Mansfield Town Square, an estimated number of both participants and attendees, and a list of equipment to be brought in. All applications are subject to review and approval of the Mansfield Downtown Partnership. A planning meeting shall be set up with an event organizer if the event will entail the use of additional resources by the Partnership or the Town of Mansfield. Individuals using the Mansfield Town Square space must carry a copy of their reservation form and written confirmation from the Mansfield Downtown Partnership with them as proof of authorization.
2. If a food permit is needed, contact Eastern Highlands Health District. If a tent is desired, the tent must be in compliance with State of Connecticut tent regulations. For more information, contact the Town of Mansfield's Building Department or Fire Marshal office.
3. Proof of liability and/or property insurance may be required of any scheduled user.

March 2016



# REQUEST FOR USE OF THE MANSFIELD TOWN SQUARE

Bring a copy of this form with you to your event

DATE OF EVENT: \_\_\_\_\_ TIME: \_\_\_\_\_ TYPE OF EVENT: \_\_\_\_\_

SET-UP & BREAK-DOWN TIME: (How much time before/after?) \_\_\_\_\_

NAME OF ORGANIZATION: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ PHONE (Best number to reach you): \_\_\_\_\_

ADDRESS (Street/City/ZIP): \_\_\_\_\_ EMAIL: \_\_\_\_\_

TOTAL # PARKING PASSES \_\_\_\_\_ (Complimentary Parking Passes for the Dog Lane parking lot, 6 max., see below)

**PARKING TERMS & CONDITIONS:** Individuals may use the on-street parking spaces in front of Eight Royce Circle to unload and load vehicles. As soon as vehicles are unloaded, all event vehicles must be moved to either the Storrs Center parking garage or the Dog Lane parking lot. Up to six complimentary parking passes for the Dog Lane parking lot will be issued to you prior to the event. Two hour free parking is assigned to the third deck and below in the parking garage. The Mansfield Downtown Partnership, Inc. and the Town of Mansfield are not responsible for the loss of any personal property left on, in, or about the user's vehicle regardless of cause and are not responsible for any damage to the user's vehicle while parked in the Storrs Center parking garage or in the Dog Lane parking lot.

**FEE** – A \$10 application fee, payable to the Mansfield Downtown Partnership, Inc., is required for an event on the Mansfield Town Square. If an event will entail the use of police, public works, fire or other Town departments, there may be additional fees required. A planning meeting should be set up with Mansfield Downtown Partnership staff to assess whether additional fees would apply.

## EVENT INFO

All equipment is to be provided by your organization, including any tables and chairs. The tables and chairs that are on the Town Square are not to be used for events. If you wish to move them aside or off-site, you must request permission from the Partnership at least seven days in advance of your event.

Please indicate whether you will bring:

Additional trash and recycling receptacles YES NO Number \_\_\_\_\_  
Portable toilets YES NO Number \_\_\_\_\_ Proposed location \_\_\_\_\_  
Tent YES NO Size \_\_\_\_\_

*Please note that tents must be in compliance with the State of Connecticut tent regulations. The Town of Mansfield's Director of Building and Housing Inspection or Fire Marshal can advise on tent requirements.*

*Please note that tents must be anchored with ballasts or water barrels. You MAY NOT stake tents anywhere on the Town Square.*

Will food be served at your event? YES NO

*Please note that if food is to be served, whether prepared on- or off-site, you must obtain a Temporary Food Service Permit from the Eastern Highlands Health District ([www.ehhd.org](http://www.ehhd.org)).*

Will alcohol be served at your event? YES NO

*Please note that if alcohol is to be served, you must obtain all pertinent State permits and abide by all Town and State laws and regulations. An additional list of policies applies if alcohol is to be served.*

Do you plan to bring and use lighting and/or sound equipment? YES NO

If yes, please attach a list of the equipment you plan to use along with a stage plot. *Please note that lighting must meet the requirements of the Town of Mansfield Fire Marshal. Please note that the Partnership must approve any requests to attach equipment to the stage roof or any other element on the Town Square at least seven days prior to your event.*

Will you be reserving the entire Mansfield Town Square? YES NO

How many people are expected to be present for the event (including staff, volunteers, and attendees)? \_\_\_\_\_

**ALL EQUIPMENT MUST BE REMOVED THE DAY OF THE EVENT WITHOUT EXCEPTION**

**Insurance Requirements:** Where required, signed Certificates of Insurance evidencing coverage in force for the duration of the event must be on file with the Mansfield Downtown Partnership in duplicate 15 days prior to the event. All insurance must meet the minimum requirements set forth in the Insurance Exhibit attached to this application.



In requesting use of the Mansfield Town Square, I agree to comply with the "Policies and Procedures Regarding Public Use of the Mansfield Town Square." I accept full responsibility for any damages that may result from our group's use. I will be responsible for all set-up and clean-up for the event and will remove any refuse that may result from the event. I understand that the Mansfield Downtown Partnership and the Town of Mansfield assume no responsibility in the case of accident and/or injury to any person(s) in connection with the use of the Town Square. In addition to the appropriate insurance certificate, I understand that the Mansfield Downtown Partnership and/or the Town of Mansfield may require local, state, or University of Connecticut police, or other public safety personnel, and/or Fire Department supervision. I understand that I will be responsible for reimbursing the Town of Mansfield for any expenses it may incur as a result of this event.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ACCEPT TERMS: I have read and agree with the "Policies and Procedures Regarding the Use of Mansfield Town Square".

**Indemnification:** As applicant for use of the Mansfield Town Square, I agree to indemnify, defend and hold the Town of Mansfield and the Mansfield Downtown Partnership, Inc. and its employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the Town of Mansfield or the Mansfield Downtown Partnership on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the approval is issued. The organization or person to which event approval is given will be responsible for the conduct of the event, the condition of the Mansfield Town Square, and actual fees for any actual services provided. Falsification of information on the application will result in forfeiture of up to \$200 per falsified item.

Organization \_\_\_\_\_ Printed Name \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*An event is approved upon written confirmation to the applicant from the Mansfield Downtown Partnership.

<b>MANSFIELD DOWNTOWN PARTNERHIP USE ONLY</b>	
Request Approved: <input type="checkbox"/> YES <input type="checkbox"/> NO	Insurance Required & Received: <input type="checkbox"/> YES <input type="checkbox"/> NO
Fee Received: <input type="checkbox"/> YES <input type="checkbox"/> NO	
Signature: _____	Date: _____

**Return form to: Mansfield Downtown Partnership, PO Box 513, 23 Royce Circle, Mansfield, CT 06268**  
 (2<sup>nd</sup> floor of Nash-Zimmer Transportation Center) or [mdp@mansfieldct.org](mailto:mdp@mansfieldct.org)  
 For more information, contact the Partnership at 860.429.2740 or [mdp@mansfieldct.org](mailto:mdp@mansfieldct.org).

October 2015



## **Policies and Procedures for the Use of Alcohol on the Mansfield Town Square**

The policies and procedures for the use of alcohol on the Mansfield Town Square are intended to allow for the responsible enjoyment of alcoholic beverages as part of an approved event. All required state permits must be obtained, and all Town of Mansfield and state laws and regulations must be followed.

### **Policies**

1. As part of the request to host an event, applicants may request to serve alcohol. Approval is contingent on the applicant securing appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division permits and approvals. Permission to serve alcohol at an event on the Mansfield Town Square shall be subject to the written approval of the Town Manager pursuant to Section 101-5 of the Mansfield Code of Ordinances and the Mansfield Downtown Partnership, Inc.
2. The only alcohol that may be served on the Mansfield Town Square is beer and wine.
3. An applicant must have the area where beer or wine is served to be delineated by a fence for selling, serving and consumption of beer or wine ("secure area"). The fence shall completely enclose the area except for space for ingress and egress.
4. No one under twenty one (21) years of age is allowed in the secure area.
5. Food may be brought into the secure area.
6. The applicant is responsible to limit attendance to the maximum number of attendees, as determined by the Mansfield Downtown Partnership, Inc., and with approval of the Mansfield Fire Marshal.
7. Local, state, or University of Connecticut police are authorized to provide additional security if necessary.
8. No glass containers are allowed during events, including events that serve alcohol, on the Mansfield Town Square.
9. At least one Connecticut certified bartender shall be present at each outdoor area during all times of operation.
10. A certificate of insurance for "Alcohol Liability" coverage in the minimum amount of \$1,000,000 which specifies the "Town of Mansfield and the Mansfield Downtown Partnership, Inc., their officers and agents as additional insured" must be submitted to the Mansfield Downtown Partnership. Some events may be required to carry additional coverage where a high risk factor is anticipated. This insurance requirement may be met through a licensed caterer.



### Procedures

1. If alcohol is to be served, it must be noted on the Mansfield Downtown Partnership, Inc. Request for Use of the Mansfield Town Square form, and discussed as part of a planning meeting with Partnership staff.
2. An applicant must secure the appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division temporary liquor permit.
3. An adult member of applicant will check the identification of all persons entering the beer/wine area.
4. The enclosing fence shall be two four-foot fences placed at least seventy-two (72) inches apart. The fence shall be snow fencing or an equally impenetrable material.
5. One or more security personnel shall be on duty at all times during the operation of the area to prevent entry of minors or intoxicated people into the area and to prevent alcohol from being carried out or passed out of the fenced in area.
6. An applicant shall provide a reasonable number of signs indicating that drinking alcoholic beverages is prohibited on Town and State roads and public ways, and that the Town of Mansfield ordinances prohibit carrying out open containers containing alcohol from designated areas.
7. A copy of Insurance Coverage must be submitted 15 days prior to the event.

March 2016



## Policy regarding Street Performers in the Mansfield Town Square

The Mansfield Town Square serves as an important focal point for the Mansfield community, including providing opportunities for public events. Such events add to the vibrancy and character of the downtown and can range from large-scale festivals to small scale performances. Street performers add range and variety to the offerings. This policy seeks to encourage street performances to the extent that they do not interfere with the reasonable expectations of residents to the enjoyment of peace and quiet in their homes or to the ability of businesses to conduct their businesses uninterrupted. The goal of the policy is to balance the interests of the performers with those of the residents, businesses, and visitors of Downtown Storrs.

### A. Definitions

1. "Perform" includes but is not limited to: acting, singing, playing musical instruments, pantomime, juggling, dancing, reading, puppetry, and reciting, **for monetary compensation or a monetary donation (e.g. "busker")**. Perform shall not include the production of items.
2. "Performer" is a person or a group of people who have obtained a permit pursuant to this section.
3. "Mansfield Town Square" means the Town Square and the adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Rd. Ext.

### B. Prohibition

1. No person may perform in a public area for **monetary compensation or a monetary donation** without a permit issued pursuant to this section.

### C. Permit

1. A permit shall be issued by the Mansfield Downtown Partnership to each applicant therefore in exchange for a completed application and a fee of ten dollars (\$10).
2. The permit shall be valid until December 31 of the calendar year in which it is issued.
3. A completed application for a permit, and the permit itself, shall contain the applicant's name, residence address, and telephone number, and shall be signed by the applicant.
4. Permits are nontransferable.
5. Each member of a group of performers who play together shall be required to obtain an individual permit. In no event shall any group of performers, identified as such in their application and noted on their permits, be charged more than seventy-five dollars (\$75) total for permits for group members.



6. If a performer loses his or her permit, one replacement per calendar year may be obtained for a fee of ten dollars (\$10).

7. Upon receipt of the permit, the street performer will receive a copy of the Policy regarding Street Performers in the Mansfield Town Square.

#### **D. Display of Permit**

A performer must carry a permit on his or her person while performing and shall display said permit on his or her person during said performance.

#### **E. Permitted Performances**

1. Performances may take place within the Mansfield Town Square.

2. Performers may request to perform in a public space not included above with the approval of the Mansfield Downtown Partnership. Requests must be made in writing no less than seven (7) days prior to the first performance.

3. Performances may take place between the hours of 10:00 AM and 10:00 PM on Mondays through Saturdays. Performances may take place between 12:00 PM and 10:00 PM on Sundays.

4. Performances may not take place when a scheduled event is taking place or during the set-up and clean-up of such an event, unless the performer has obtained written consent from the sponsoring organization. Permission must be obtained prior to the performance, and the performer must carry a copy of the written consent during the performance.

5. Safe and adequate pedestrian access must be maintained at all times during a performance. Pedestrian access must be maintained for all users, including but not limited to, individuals with mobility impairments. Failure to maintain safe pedestrian access may result in the revocation of the performer's permit.

6. Audiences of performances in the Town Square may not spill into the streets or impede pedestrian, bicycle, or vehicle access at any time. Should the number of performers and audience members exceed the space available, Partnership and/or Town staff or the local, state, or University of Connecticut police may disperse portions of the audience. If the Partnership and/or Town staff or the police determine that safe and adequate pedestrian access continues to be impeded, or if the audience refuses to comply with requests to disperse, the performer will be required to end his/her performance.

7. If the Partnership and/or Town staff or the police determine that the performer is inciting the audience or encouraging the audience to disregard requests to disperse and/or to engage in disruptive behavior, then such actions may result in the revocation of the performer's permit.



8. The Mansfield Downtown Partnership reserves the right to exclude any location as a permissible performance space.
9. No performer shall perform at a distance of less than one hundred (100) feet from another performer who is already performing.
10. No electricity can be used in the event of rain, lightning, or thunder.
11. No generators are allowed to be used as part of a performance.
12. The Town of Mansfield shall not be responsible for injury to any person using the Mansfield Town Square or for any damage done to property owned by any user of the Mansfield Town Square.
13. A performer may accept contributions of money at a performance provided that no sign requesting contributions shall exceed twelve (12) inches by eighteen (18) inches in size. Contributions may be received in any receptacle. No performer shall post, adhere, tape, or otherwise affix his/her sign to any building, light pole, sign post, or other structure within the Mansfield Town Square.

#### **F. Suspension, and denial of permit**

1. The Mansfield Downtown Partnership may revoke a permit if:
  - a) a performer is found to have willingly provided false information in the application; or
  - b) a performer has been found in violation of any of the above provisions.
2. The Mansfield Downtown Partnership reserves the right to deny a permit to an applicant if s/he has had previous permits revoked within a twenty-four (24) month period of the application.
3. The conduct and behavior of all street performers will be in compliance with the Code of the Town of Mansfield, which includes but is not limited to the litter, nuisances, noise, and alcoholic beverages ordinances.

*March 2016*



**Town of Mansfield  
Code of Ordinances**

“Amendments to Ordinance Regarding Streets and Sidewalks”

*March 2016 October 13, 2015 Draft*

**Chapter 166. Streets and Sidewalks**

Scenic Roads- See Ch. 155

**ARTICLE I. Deposit of Snow or Ice on Highways**

**Section 166-1. Legislative Authority.**

This Article is enacted pursuant to the provisions of Sections 7-194, 7-148 and 7-152c of the Connecticut General Statutes.

**Section 166-2. Deposit prohibited.**

No person shall deposit any snow or ice onto any portion of any public highway within the Town of Mansfield.

**Section 166-3. Penalties for offenses.**

Any person violating this articles may be guilty of an infraction.

**ARTICLE II. Sidewalks**

**Section 166-4. Legislative authority.**

This Article is enacted pursuant to the provisions of Sections 7-148, 7-152c, 7-163a and 14-289 of the Connecticut General Statutes.

**Section 166-5. Snow and ice on sidewalks.**

Except for sidewalks, walkways and bikeways actively maintained by the town and connections from single- or two-family residential uses to a sidewalk, the owner, agent of the owner, or occupant of any building or land bordering upon any street, square or public place within the town where there is a sidewalk, graded, or paved or planked, shall cause to be removed therefrom any and all snow sleet and ice within eight hours after the same shall have fallen, been deposited or found, or within three hours after sunrise, when the same shall have fallen in the night season; and whenever any such sidewalk, or any part thereof, shall be covered with ice, the owner, agent, or occupant of the building or lot adjacent thereto shall, within the space of one hour thereafter, during the daytime, cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by covering the same with sand or some other suitable substance.

**Section 166-6 Penalties for Offenses.**

This section is DELETED IN ITS ENTIRETY AND REPLACED BY NEW SECTION 166- 6, below.

**Section 166-6. Removal of snow and ice by town.**

**If any sidewalk shall remain encumbered with snow, ice or sleet for two hours after the**

owner or person having the charge or care of the lot or building bordering on such sidewalk and legally liable to clear the same has been notified by the town to remove the same, the town shall cause the same to be cleared or sanded, as the case may be, and the town shall collect the expense thereof from such owner or other persons.

**Section ~~166-8~~ 166-7. Municipal liability.**

The town shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the town is the owner or person in possession and control of land abutting such sidewalk other than land used as a highway or street, or unless the town has actively taken responsibility for maintaining the sidewalk, provided that the town shall be liable for its affirmative acts with respect to such sidewalk. Pursuant to Connecticut General Statutes section 7-163a, unless the town has actively taken responsibility for maintaining the sidewalk, the owner or person in possession and control of land abutting a public sidewalk in the town shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his or her property as the municipality had prior to the effective date of the snow and ice removal provisions of this Article and shall be liable to persons or property where a breach of said duty is the proximate cause of said injury. The town hereby adopts and incorporates said section 7-163a herein.

**Section ~~166-9~~ 166-8. Repair of sidewalks.**

It shall be the duty of the owner, agent of the owner, or occupant of any building on land bordering upon any street, square or public place within the town where there is a sidewalk, paved or planked, to keep such sidewalk in good repair.

**Section ~~166-10~~ 166-9. Notice to owner to repair sidewalks.**

Whenever a sidewalk is found to be dangerous and unsafe to walk upon or in such condition that it is likely to cause or contribute to persons falling or stumbling thereon, the town shall order the owner of property abutting said sidewalk to repair the same in accordance with specifications as shall be deemed reasonable by the town. An order to make such repairs shall be in writing and may be given to the owner in person or by registered or certified mail addressed to him or her at his or her last known place of abode or business as set forth in the records of the Assessor's Office of the Town of Mansfield. Said order shall specify the date by which the repairs shall be made, which in no case shall be less than 30 days after service of said order on the abutting owner as prescribed herein.

**Section ~~166-11~~ 166-10. Performance of sidewalk repairs by town; costs.**

Whenever said abutting owner fails, neglects or refuses to make repairs to a sidewalk ordered by the town, it shall be the duty of the town to repair the same at the expense of the abutting owner. The town may cause the repairs to be made by town employees or by private contractor and shall charge the abutting owner the actual cost thereof plus a sum equal to 20% thereof to help to defray administrative costs incurred to carry out the purposes of this Article.

**Section 166-12 Penalties for Offenses.**

**This section is DELETED IN ITS ENTIRETY AND REPLACED BY NEW SECTION 166-11, below.**

**Section 166-11. Enforcement; Penalties for Offenses.**

- A. **The ordinances, policies, and procedures of this Chapter shall be enforced by local, state or University of Connecticut police. In addition, the Town Manager may designate in writing one or more Town officials or employees or agents empowered to take enforcement action authorized by Articles I and IIA of this Chapter.**
- B. **Any commission of a prohibited act or omission of required action as set forth in said Articles I and IIA shall be a violation of this Chapter authorizing any such Town official or employee or police officer to issue a written warning to the alleged violator providing notice of the violation and the citation and fine that will be imposed if the violation is continued or repeated beyond a reasonable deadline stated in the written warning and notice.**
- C. **After said written notice and warning is delivered to the alleged violator, if the prohibited act is continued or repeated or the violator fails to take expressly required action to cure the violation, a citation may be issued calling for a fine of \$100 for each separate act or omission of violation or for each day that any such violation continues after the deadline for acting in response to any such warning. Any such fine shall be payable within ten (10) calendar days of the date of issuance of the citation.**
- D. **The citation shall also inform the alleged violator that If any such fine issued pursuant to this Article is unpaid beyond the due date, the amount of the fine shall double and the Town may initiate proceedings under the authority of C.G.S. section 7-152c and Chapter 129 of this Code of the Town of Mansfield, the Hearing Procedure for Citations Ordinance, to collect the fine. The alleged violator must also be informed that they may appeal the citation and fine pursuant to section 129-10 of said Hearing Procedure for Citations Ordinance.**
- E. **The Town Manager may authorize the town department or agency with which the citation issuing town official, employee, or police officer is affiliated to negotiate, compromise or waive any fine that is assessed via a citation issued by such official, employee or officer, but only if compliance by the violator with the violated part of this ordinance is secured in advance of any such action.**
- F. **Nothing in this Article shall limit the ability of the authorities to initiate and prosecute any, criminal offense or the provisions of any other Town ordinance regarding any of the same circumstances resulting in the application of this Article.**

**NEW ARTICLE IIB. Use of Sidewalks by Bicycles, Hover boards, Scooters, Skaters and Skateboarders.**

**Section 166-12. Findings and Purpose.**

**The Town Council of the Town of Mansfield finds that the improper or careless use of Town sidewalks by bicyclists, skaters and skateboarders can create hazards detrimental to the public welfare, health and safety of the people of the Town. Therefore, pursuant to the**

various police, health and public safety powers granted to municipalities per C.G.S. section 7-148 and section 14-289, the Town of Mansfield seeks to protect, preserve and promote the health, safety, welfare and quality of life of the people by carefully regulating the use of Town sidewalks by bicyclists, skaters and skateboarders.

Section 166-13. Sidewalk and public space use restrictions on bicyclists, skaters and skateboard users.

1. Any bicyclist, skater or skateboarder using a sidewalk shall exercise due care and caution to avoid colliding with any other person on the sidewalk. Every bicyclist and skateboarder shall travel on the sidewalk in a consistent and predictable manner, and their speed shall not exceed 10 miles per hour.
2. A bicyclist shall yield to any pedestrian or any other person or vehicle using the sidewalk at any time.
3. A bicyclist, skater or skateboarder must give an audible warning before passing another person, pedestrian bicyclist, or user of any mode on the sidewalk. Said warning may be produced by voice, bell, whistle or horn and must be clearly audible. Such audible warning must be produced prior to executing the passing maneuver. The passer is responsible for safely passing other users on the sidewalk.
4. Any bicyclist using a sidewalk shall travel to the right side of the sidewalk as is safe, except while overtaking and passing another user going in the same direction.
5. Any bicyclist using a sidewalk from one-half hour after sunset to one-half hour before sunrise must be equipped with or carry lights. Bicyclists shall have a headlight visible from 500 feet to the front and a red or amber light visible from 500 feet to the rear.
6. Every person operating a bicycle on a sidewalk shall obey the instructions of any official traffic control sign or device applicable thereto placed in accordance with applicable laws or regulations unless otherwise directed by a police officer.
7. No person shall park, abandon, chain, lock or otherwise leave any bicycle or scooter other than at a designated rack. Under no circumstances shall bicycles or scooters be attached to trees, street signs, light poles, waste receptacles or furniture.
8. No person shall operate any motorized bicycle, hover board, motorized scooter or other motor powered vehicle on any sidewalk or public way or upon the Town Square Area as defined in Chapter 138 Mansfield Town Square Ordinance Section 138-4.
9. No person shall operate or ride any skateboard on any stonewall, retaining wall, railings, stairways, railings, furniture, planting beds, lawn areas or pavers.

10. No person shall operate or ride any bicycle on any stonewall, retaining wall, railing, stairway, furniture, planting bed or lawn area.
11. No person shall operate or ride any hover board, skateboard, skates-or bike in any parking garage. Bicyclists or scooter users that utilize bicycle racks in any parking garage shall walk bicycles in the parking garage.
12. Nothing in this section shall be interpreted to prohibit wheelchairs or other mobility devices utilized by disabled persons.

**Section 166-14. Penalties for Offenses.**

**Any person violating the provisions of this Article IIB may be issued a citation by a police officer or a Town official or employee or agent designated in writing by the Town Manager to issue such citations. Such citation shall inform the person named therein of the allegations against them and that the amount of the fine shall be \$90.00. The citation shall also inform the offender that that the fine must be paid within ten days of the date of the citation, that the fine will double if not paid by the due date, that the Town may initiate proceedings under the authority of C.G.S. section 7-152c and Chapter 129 of this Code of the Town of Mansfield, the Hearing Procedure for Citations Ordinance, to collect the fine, and that the alleged offender may appeal the citation and fine pursuant to section 129-10 of said Hearing Procedure for Citations Ordinance.**