



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

**Monday, April 25, 2016
Audrey P. Beck Municipal Building
Conference Room B**

5:30 PM

****Revised 04/21/16****

AGENDA

Call to Order/Roll Call

Approval of Minutes from 03/16/16

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 Town Property
 - c. Proposed Policies Regarding Street Performers in Mansfield Town Square (*recommending no action at this time*)
2. Proposed Amendments to Ordinance Regarding Streets and Sidewalks
3. Future Meeting Dates
4. Public Comment

Adjournment

SPECIAL MEETING – ORDINANCE DEVELOPMENT AND REVIEW SUBCOMMITTEE
March 16, 2016
DRAFT

1. CALL TO ORDER

Mayor Paul Shapiro called the meeting to order at 6:30 p.m.

2. ROLL CALL

Present: Kegler, Kochenburger Moran, Raymond, Shapiro (Chair)

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 January 15, 2016 meeting as presented. Motion passed with all in favor except Mr. Kegler who abstained.

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

Town Manager Matt Hart noted that previously agreed to changes are included in the draft document.

By consensus the Committee agreed to make the following changes:

- End the third sentence of Policy #6 after “necessary.”
- Eliminate the last two sentences in Policy #6, the last sentence in Policy #7, the last sentence in Policy #10, the last two sentences in Policy #16 and collapse those items into a revised Policy #17 which reads, “Individuals or groups who violate any of these rules may have an event shutdown and may not be permitted to schedule future events in the Mansfield Town Square.”
- Replace “Mansfield Downtown Partnership, Inc.” with “Town of Mansfield” in Policy #14.
- Review Policy#11 with legal counsel to make sure the policy is viewpoint neutral.
- Renumber Procedure #1 to Policy #18 and eliminate all of procedures which follow the first sentence. Incorporate successive enumerated procedures into the application.

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 title to read, “Policies and Procedures for the Use of Alcohol on Town Property. One policies and procedures document regarding the use of alcohol should be written to apply to all Town events. Carve outs may be used to identify specific requirements for certain venues.
- Change “one “to “attendee” in Policy #4.

- In order to be consistent with the recently approved Ordinance Regarding Alcoholic Beverages, Town Square use should not be restricted to beer and wine.
- c. Proposed Policies Regarding Street Performers in Mansfield Town Square
By consensus the Committee agreed to make the following changes:
 - Consolidate the policy items specific to street performers and add to Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square, as Policy # 19.

5. PROPOSED AMENDMENTS TO ORDINANCE REGARDING STREETS AND SIDEWALKS

To be discussed at a subsequent meeting.

6. FUTURE MEETING DATES

The March 28, 2016 regular meeting has been cancelled as it is in conflict with the budget presentation scheduled for the same time.

7. PUBLIC COMMENT

No members of the public offered comments.

8. ADJOURNMENT

Ms. Moran moved and Mr. Kegler seconded to adjourn the meeting at 8:20 p.m.
The motion passed by all members present.

Respectfully submitted,

Mary Stanton, Mansfield Town Clerk.

MEMORANDUM

Town of Mansfield
Town Manager's Office
4 So. Eagleville Rd., Mansfield, CT 06268
860-429-3336
Hartmw@mansfieldct.org



To: Ordinance Development and Review Subcommittee
From: Matt Hart, Town Manager
CC: Town Council; Kevin Deneen, Town Attorney; Cynthia van Zelm, Mansfield Downtown Partnership
Date: April 25, 2016
Re: Subcommittee Agenda Packet

Attached please find the packet materials for the Ordinance Development and Review Subcommittee meeting on April 25, 2016.

Based on the subcommittee's discussion at the March 16th meeting, Ms. Van Zelm and I have revised the draft polices on the Town Square and the Use of Alcohol on Town property. For your reference, I have attached both clean copies and blackline copies. For the Town Square policy, there are some minor wordsmithing changes between the clean copy and blackline copy.

Also based on the subcommittee's discussion at the last meeting, Ms. Van Zelm and I suggest that we hold off on adopting the proposed Policy Regarding Street Performers in Town Square, and instead determine after a few years of experience whether such a policy is needed.

Attach: (7)



CLEAN COPY

Policies Regarding Public Use of the Mansfield Town Square

The Mansfield Town Square (the "Town Square") has been developed as a unique and vibrant public space, serving as a focal point for community activity. The Mansfield Town Square includes the Town Square and the adjacent sidewalks bordering Dog Lane, Storrs Road, Royce Circle, and Bolton Road Ext.

The Town Square provides a potential venue for activities sponsored by members of the community, the Mansfield Downtown Partnership (the "Partnership"), the Town of Mansfield (the "Town"), the University of Connecticut ("UCONN"), and Downtown Storrs businesses. This policy is intended to provide members of the community with fair access to the 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 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.

Policies

1. The Town Square shall be available for events when it is not actively being used, or scheduled to be used, by the Partnership, the Town, or UCONN, 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. Neither the



Mansfield Downtown Partnership
Helping to Build Mansfield's Future

Partnership nor the Town is 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 Town Square shall comply, at all times, with the ordinances of the Town (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 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 Town Square. Scheduling the use of the Town Square shall not be a substitute for obtaining any other permits or licenses which may be necessary. Audiences or participants for events on the Town Square may not spill into the streets or impede pedestrian, bicycle, or vehicle access unless appropriate permits are acquired.
7. Individuals or groups using the 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.
8. Sound amplification equipment shall be adjusted to the minimum volume level necessary to be heard within the 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 Town Square application. Restrooms in commercial businesses are not to be used by event staff or attendees.
10. Prior approval is required from the Partnership or the Town 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.
11. Fundraising will be allowed at specific locations on the Town Square by non-profit organizations and government sponsored organizations (e.g. schools), or as otherwise authorized by law.
12. No overnight camping or sleeping is allowed in the 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 Partnership staff 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 Town reserves the right to cancel an event if public safety is at risk.



15. The Town shall not be responsible for injury to any person using the Town Square or for any damage done to property owned by any user of the Town Square.
16. Breach of peace or disorderly conduct by users of the Town Square will not be tolerated.
17. The Town reserves the right to shut down events or to disallow future events by individuals or groups who violate any of these rules.
18. Individuals or groups wishing to schedule the use of any portion of the 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. **THE TOWN AND THE PARTNERSHIP SHALL NOT BE RESPONSIBLE FOR STAFFING PERMITTED EVENTS OUTSIDE OF EVENTS THEY ARE SPONSORING. IF POLICE, FIRE, PUBLIC WORKS OR OTHER TOWN DEPARTMENTS ARE NEEDED, THIS MUST BE SHOWN ON THE APPLICATION.**

April 2016

BLACKLINE



~~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 these~~ 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 unless appropriate permits are acquired. 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.~~ 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.~~ 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. 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 application. Restrooms in commercial businesses are not to be used by event staff or attendees.

~~10.~~ 10. Prior approval is required from the MANSFIELD DOWNTOWN Partnership OR THE TOWN OF MANSFIELD 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,

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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-~~ 11. Fundraising will be allowed at specific locations on the Mansfield Town Square by non-profit organizations and government sponsored organizations ~~(e.g. such as schools)~~, or as otherwise authorized by law.

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~~12-~~ 12. No overnight camping or sleeping is allowed in the Mansfield Town Square.

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~~13-~~ 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-~~ 14. The Mansfield Downtown Partnership, Inc. Town of Mansfield reserves the right to cancel an event if public safety is at risk.

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~~15-~~ 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-~~ 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.~~

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~~17-~~ 17. Individuals or groups who violate any of these rules may have an event shut down and may 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.

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Procedures

~~1-~~ 18. 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. THE TOWN OF MANSFIELD AND THE MANSFIELD DOWNTOWN PARTNERSHIP SHALL NOT BE RESPONSIBLE FOR STAFFING PERMITTED EVENTS OUTSIDE OF EVENTS THEY ARE SPONSORING. AS NOTED IN THE REQUEST FOR THE USE OF THE MANSFIELD TOWN SQUARE APPLICATION, IF POLICE, FIRE, PUBLIC WORKS OR OTHER TOWN DEPARTMENTS ARE NEEDED, THIS MUST BE SHOWN ON THE APPLICATION. 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

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~~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/April 2016

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Clean Copy

Town of Mansfield
Policies for the Use of Alcohol on Town Property

The policies for the use of alcohol on Town property (within a public building, public highway, sidewalk or parking area or on public land, limited to the area of the Storrs Center Special Design District, the campus of the Audrey P. Beck Municipal Building, the campus of the Mansfield Community Center, the campus of the Mansfield Public Library) 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 alcoholic beverages. Approval is contingent on the applicant securing appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division permits and approvals. Permission to serve alcoholic beverages at an event on Town property shall be subject to the written approval of the Town Manager pursuant to Section 101-5 of the Mansfield Code of Ordinances.
2. An applicant must have the area where alcoholic beverages is served to be delineated by a fence ("secure area") for selling, serving and consumption of said alcoholic beverages. The fence shall completely enclose the area except for space for ingress and egress.
3. No attendee under twenty one (21) years of age is allowed in the secure area.
4. Food may be brought into the secure area.
5. The applicant is responsible to limit attendance to the maximum number of attendees, as determined by the Town Manager, and with approval of the Mansfield Fire Marshal.
6. Local, state, or University of Connecticut police are authorized to provide additional security if necessary.
7. No glass containers are allowed during events, including events that serve alcoholic liquor.
8. At least one Connecticut certified bartender shall be present at each outdoor area during all times of operation.
9. A certificate of insurance for "Alcohol Liability" coverage in the minimum amount of \$1,000,000 which specifies the "Town of Mansfield its officers, employees and agents as additional insured" must be submitted to the Town Manager. 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.
10. If alcoholic liquor is to be served, it must be noted on the appropriate Town Facility Use Form, and discussed as part of a planning meeting with Town or Partnership staff.
11. An applicant must secure the appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division temporary liquor permit.



12. Applicant shall have an adult member of organization check the identification of all persons entering the alcoholic beverages area.
13. 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.
14. 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 beverages from being carried out or passed out of the fenced in area.
15. 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 alcoholic beverages from designated areas.
16. A copy of Insurance Coverage must be submitted 15 days prior to the event.

April 2016



Policies and Procedures for the Use of Alcohol on Town Property ~~the Mansfield Town Square~~

The policies and procedures for the use of alcohol on Town property (within a public building, public highway, sidewalk or parking area or on public land, limited to the area of the Storrs Center Special Design District, the campus of the Audrey P. Beck Municipal Building, the campus of the Mansfield Community Center, the campus of the Mansfield Public Library) the Mansfield Town Square are intended to allow for the responsible enjoyment of alcoholic liquor 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.

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Policies

1. As part of the request to host an event, applicants may request to serve alcoholic liquor. Approval is contingent on the applicant securing appropriate State of Connecticut, Department of Consumer Protection, Liquor Control Division permits and approvals. Permission to serve alcoholic liquor at an event on Town property 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.~~
- 3.2. An applicant must have the area where alcoholic liquor ~~beer or wine~~ is served to be delineated by a fence ("secure area") for selling, serving and consumption of said alcoholic liquor ~~beer or wine ("secure area")~~. The fence shall completely enclose the area except for space for ingress and egress.
- 4.3. ~~No attendee~~ ~~one~~ under twenty one (21) years of age is allowed in the secure area.
- 5.4. Food may be brought into the secure area.
- 6.5. The applicant is responsible to limit attendance to the maximum number of attendees, as determined by the Town Manager ~~Mansfield Downtown Partnership, Inc.~~, and with approval of the Mansfield Fire Marshal.
- 7.6. Local, state, or University of Connecticut police are authorized to provide additional security if necessary.
- 8.7. ~~No glass containers are allowed during events, including events that serve alcoholic liquor, on the Mansfield Town Square.~~
- 9.8. At least one Connecticut certified bartender shall be present at each outdoor area during all times of operation.
- 10.9. 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 its officers, employees~~ and agents as additional insured" must be submitted to the Town Manager ~~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 alcoholic liquor is to be served, it must be noted on all Town Facility Use Forms (currently listed on draft for the transportation center being reviewed by Partnership attorney/ is not listed on the draft for other Town facilities that Leslie developed), including the Mansfield Downtown Partnership, Inc. Request for Use of the Mansfield Town Square form, and discussed as part of a planning meeting with facility or property management 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~~ Applicant will have an adult member of organization will check the identification of all persons entering the alcoholic liquor 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 liquor beverages is prohibited on Town and State roads and public ways, and that the Town of Mansfield ordinances prohibit carrying out open containers containing alcoholic liquor from designated areas.
7. A copy of Insurance Coverage must be submitted 15 days prior to the event.

March/April 2016

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**Town of Mansfield
Code of Ordinances**

**“Amendments to Ordinance Regarding Streets and Sidewalks”
April 25, 2016 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, 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 166-7. 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 166-8. 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 166-9. 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 166-10. 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 hover board, scooter 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, skatesor 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.

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**Town of Mansfield
Code of Ordinances**

"Amendments to Ordinance Regarding Streets and Sidewalks"
April 25, 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.
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- 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.
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- 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.

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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.
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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.

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