



**BOARD OF ALDERMEN  
SHELTON, CONNECTICUT  
Public Hearing on Ordinances  
November 27, 2007**

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**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Aldermanic President John Anglace opened the Public Hearing at 7:50 p.m. All those present pledged allegiance to the flag.

**ROLL CALL**

Aldermanic President John F. Anglace, Jr. – present  
Alderman Lynne Farrell - present  
Alderman John "Jack" Finn - absent  
Alderman Stanley Kudej - present  
Alderman Kenneth Olin - present  
Alderman John P. Papa – absent  
Alderman Jason Perillo – present  
Alderman Anthony Simonetti - present

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**Legal Notice  
City of Shelton**

NOTICE IS GIVEN THAT THE BOARD OF ALDERMEN WILL CONDUCT A PUBLIC HEARING ON THE FOLLOWING:

- OPEN SPACE REGULATIONS - REVISION TO ORD. #769

SAID PUBLIC HEARING SHALL BE CONDUCTED ON TUESDAY, NOVEMBER 27, 2007 IMMEDIATELY FOLLOWING PUBLIC HEARING ON WATER MAIN EXTENSION – HICKORY LANE AT 7 PM IN THE AUDITORIUM AT SHELTON CITY HALL, 54 HILL STREET, SHELTON.

ALL PERSONS WHO HAVE AN INTEREST THEREIN MAY APPEAR AND BE HEARD.

NOVEMBER 16, 2007

**1. OPEN SPACE REGULATIONS - REVISION TO ORD. #769****CITY OF SHELTON ORDINANCE #769  
OPEN SPACE ORDINANCE****CITY OF SHELTON ORDINANCE #769  
BE ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
SHELTON:**

**Whereas** the Board of Aldermen of the City of Shelton desires to provide a safe and healthy environment for all residents wishing to enjoy the open spaces of the City of Shelton, and

**Whereas** the regulations herein are designed to provide uniform understanding of permitted uses and prohibitions on property that has been designated by the Board of Alderman as "City Open Space", it is therefore

**Resolved** by the Board of Alderman that the following regulations be adopted as an Ordinance of the City of Shelton:

1. The operation of any motorized vehicles or vessels is prohibited on any City Open Space area, except official vehicles engaged in maintenance, emergency activities, or for handicapped accessibility.
2. No person shall park or store any motorized vehicle, bicycle, trailer or personal property on any City Open Space area of the City of Shelton, except in those areas set aside and designated as temporary parking.
3. All City Open Space areas shall be open from dawn to dusk unless the Mayor or his designated representative has granted special permission to an individual or a group in writing to extend this time period.
4. Non-motorized vessels may be used only in City Open Space areas approved for that purpose. No motorized vessels are allowed in any waters of the City Open Space unless required for emergency rescue or maintenance operations.
5. Swimming is not allowed in any City Open Space watercourse, pond or lake except as may be designated by the Mayor or his designated representative.
6. Persons utilizing City Open Space areas shall be appropriately attired.
7. No person or organization shall camp overnight in any City Open Space area unless they have obtained written permission from the Mayor or his designated representative.
8. No person or organization shall erect tents, or construct shelters or other structures of a temporary or permanent nature or hold any sponsored gathering or function in any City Open Space areas without the express written permission of the Mayor or his designated representative.
9. No person shall light, kindle or use any fire on any City Open Space area except in receptacles installed for that purpose without the express written permission of the fire Marshal.
10. Hunting, trapping, archery, discharging firearms, paintball guns, air guns or use of any weapon on or into any City Open Space area is prohibited. Hunters crossing

City Open Space areas to gain access to private or state property may proceed through City Open Space areas only with an unloaded firearm.

11. No person shall offer any article or thing for sale in any City Open Space area unless the Chief of Police issues a permit for such activity, except that this does not apply to established Parks & Recreation Dept. and Board of Education programs.
12. No person shall destroy, injure, herd, harvest or disturb any form of wildlife, plant life, or its habitat on any City Open Space area excluding state permitted fishing where specifically allowed.
13. No bottles, broken glass, cans, waste paper or other rubbish shall be left in any City Open Space area except in containers designated for that purpose. And, that no yard waste leaves or refuse, may be deposited on City Open Space areas. And further, that no residential or commercial dumping of any kind is permitted on City Open Space areas.
14. Ice-skating and ice fishing will be allowed upon those bodies of water expressly designated for that purpose by the Parks & Recreation Dept. and only after the safety of the ice has been confirmed by the Mayor or his designated representative.
15. Mountain bikes or other non-motorized vehicles may be used on designated City Open Space trails only and, at no time may mountain bikes be used off said trails.
16. Dogs must be leashed at all times while within the City Open Space areas and owners must abide by City Ordinance #716, "Pooper Scooper Ordinance".
17. No person shall deface, mar, remove or otherwise intentionally damage any City Open Space area's property or any improvement made thereon.
18. No person shall use any alcoholic and/or drugs on any City Open Space area.

Violation of any provision of this Ordinance shall result in a fine of **two hundred and fifty dollars (\$250)** for each offense in addition to any other penalty provided by the City, State or Federal governments. Each violation of this article shall be a separate violation. The citation hearing procedure set forth in City Ordinance #583 (Code Section 1-11.1) shall be applicable to any violation of this article.

With passage of this Ordinance, Ordinance #711, "Use of City Water Areas for Recreation" is hereby repealed.

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Alderman Anglace stated, the public notice has been published. This is an upgrade to the amount of the fine commensurate with the recent upgrade the Board of Aldermen did on many of the existing ordinances that have fines attached to them.

Somehow this ordinance didn't get picked up at the time. I've since found out that there are other ordinances, some that have fines attached and some that date back so far in history that their source and origin is pretty hard pressed to find, and we're still looking. Some are by number and summaries, and are difficult to find.

This hearing is hear any comments the public may have with respect to increasing the fine for the violation of the Open Space Ordinance.

Judson Crawford, 8 Jordan Avenue

After reading Ordinance 769 and as you've just stated, there is only one change to this, I am going to say that I am in favor of this with one stipulation. After reading this, it does not stipulate where, if a fine is levied onto a person or party, where the money would go. Are we setting up a special line item, or would it be going straight to unanticipated income?

Alderman Anglace replied, none of the City ordinances that carry a fine provide for where that money would go. It just simply goes into the general fund. You know that anybody who receives a citation for a violation of a City Ordinance, there is a procedure in place, a hearing officer, you can go before the hearing officer, tell your story, and the hearing officer has the final say with respect to the validity of the citation.

Mr. Crawford stated, I am in favor of this.

**ADJOURNMENT**

At 7:55 p.m., Alderman Perillo MOVED to close the Public Hearing; SECONDED by Alderman Olin. A voice vote was taken and the MOTION PASSED 6-0.

Respectfully submitted,

Patricia M. Bruder  
Clerk, Board of Aldermen

Date Submitted: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

BY: \_\_\_\_\_

Mark A. Lauretti  
Mayor, City of Shelton