

**Town of Farmington, CT
Office of the Town Manager
Regular Town Council Meeting**

Date: January 8, 2019
(Council Members should call the Town Manager's Office if unable to attend.)

Time: 7:00 p.m.

Place: Council Chambers

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Public Hearing
- D. Presentations and Recognitions
- E. New Items
- F. Public Comments
- G. Reading of the Minutes
 - 1. December 11, 2018 Regular Town Council Meeting
- H. Reading of Communications and Written Appeals
- I. Report of the Committees
 - 1. UCONN Health Committee
 - 2. Land Acquisition Committee
 - 3. Green Efforts Committee
 - 4. FHS Ad Hoc Community Survey Committee
 - 5. FHS Ad Hoc Facility & Financial Committee
 - 6. Farmington Village Center Committee
 - 7. Auditor Ad Hoc Committee
- J. Report of the Council Chair and Liaisons
 - 1. Chair
 - 2. Board of Education Liaison
 - 3. Chamber of Commerce
 - 4. Economic Development Commission Liaison
 - 5. Farmington Historic District Commission
 - 6. Housing Authority
 - 7. Human Relations Commission
 - 8. Library Board

9. Town Plan and Zoning Liaison
10. Unionville Historic District Commission
11. Unionville Village Improvement Association Liaison
12. Water Pollution Control Authority
13. Other Liaisons

K. Report of the Town Manager — Second January Town Council Meeting, Nutmeg TV airdates, State Legislators Invitation, Community Services Holiday Program Update, Brownfield Municipal Grant Update, Personnel Update

L. Appointments

1. Building Code Board of Appeals (Hammerberg)
2. Conservation and Inland Wetlands Commission (Markuszka) – **Alternate**
3. Conservation and Inland Wetlands Commission (St. James) – **Alternate**
4. Economic Development Commission (Russell)
5. Plainville Area Cable TV Advisory Council
6. Plainville Area Cable TV Advisory Council (Bernier)
7. Plainville Area Cable TV Advisory Council (Markuszka)
8. Tourism Central Regional District
9. Unionville Historic District & Properties Commission (Martin) – **Alternate**
10. Water Pollution Control Authority (Charette)
11. Water Pollution Control Authority (Thompson)

M. Old Business

N. New Business

1. To consider and take action on the 2019 Blighted Building List.
2. To consider and take action on budget targets for the 2019-2020 Fiscal Year.
3. To Set a Public Hearing on February 12, 2019 at 7:05 pm in the Town Hall Council Chambers to Amend the Farmington Town Code Chapter 118 "Housing Code."
4. To Set a Public Hearing on the Town Manager's Proposed Seven-Year Capital Improvement Plan on February 26, 2019 at 6:00 p.m. in the Town Council Chambers.
5. To approve property tax refunds.

O. Executive Session

1. Land Acquisition
2. Collective Bargaining

P. Adjournment

MOTION:

Agenda Item K

Report of the Town Manager— Second January Town Council Meeting, Nutmeg TV airdates, State Legislators Invitation, Community Services Holiday Program Update, Brownfield Municipal Grant Update, Personnel Update

Joint Town and Board of Education Meeting

The January 22, 2019 Town Council Meeting will be a joint meeting with the Board of Education to review and discuss recommendations on next steps on the Farmington High School facility. The Farmington High School Ad Hoc Committees will be presenting their work and findings. The meeting will take place at the Farmington High School Cafeteria at 7:00PM.

Nutmeg TV Air Dates

The 2019 Town Council meetings will be broadcasted live on Nutmeg TV's Education Channel as follows:

- Comcast Channel 95 and 1090
- Frontier Channel 6061

For 7:00 p.m. Town Council meetings, **the live streaming will begin at 6:55 p.m.**

Meetings will also be available for viewing on Nutmeg TV's Government Channel 96 and 1084, and Frontier Channel 6062 at the following times:

| | |
|-----------|--|
| Fridays | 12:00 a.m., 3:00 a.m., 6:00 a.m., 9:00 a.m., 12 noon, 3:00 p.m., 6:00 p.m., 9:00 p.m. |
| Saturdays | 12 noon |
| Sundays | 6:00 a.m. & 9:00 p.m. |

The meetings are also available On-Demand a few days after the meetings take place.

State Legislators Invitation

It is customary to invite Farmington's state legislators to attend a Town Council Meeting in February. It is my intent to contact the state legislators and invite them to attend the first Town Council meeting in February to give a short presentation to the Town Council regarding the upcoming state budget and legislative session.

Community Services Holiday Program Update

The Community Services Holiday Programs were a great success this year, with more than 230 households registered, 432 meal Thanksgiving and holiday meals provided, and 224 children sponsored with holiday gifts.

The programs encompass months of work and hundreds of collaborators. The season kicks off with the Thanksgiving holiday and a longstanding partnership with the Farmington Police Department. Together with the Citizen Emergency Response Team (CERT), FPD and FCS held a food drive during which 142 meals were collected and delivered. Another 67 were contributed by community sponsors to local families in need. Following the food drive, our annual community Thanksgiving dinner attracted a substantial crowd of over 100 guests and volunteers on Thanksgiving Day. The dinner was attended by local residents, including many seniors, disabled community members, and those without family nearby. It took many volunteers and staff to prepare, cook and serve the meal, as well as deliver hot dinners to elderly, homebound residents.

The winter holiday programs filled December with events and new partnerships. Our annual toy drive this year was a collaboration with the Farmington and Avon Police Departments, as well as Farmington's Alternative High School. Through the toy drive, local toy collections by schools and businesses, our own town hall "giving tree" and the goodwill of more than 80 donors, we were able to provide holiday gifts to a record 224 children this year! Community partnerships with Tunxis Hose and Farmington Fire Departments, Stop & Shop and Highland Park Market and Farmington CERT also helped make it possible to collect and deliver 223 fresh holiday meals to our neighbors in need.

Brownfield Municipal Grant Update

On December 19, 2018 the Town was notified by the Department of Economic and Community Development (DECD) that we did not receive the Brownfield's Assessment Grant for the former Parson's parcel. DECD received 39 applications requesting approximately \$20.5 million of grant funding. Of the 39 applications only 11 projects were funded. We are meeting with our consultant, Amy Vallancourt to discuss if she can review the phase 1 investigations in further detail, and give us a plan to move forward. We are also scheduling a meeting with our legislators to determine if any other State brownfield's funding will become available in the near future. We are meeting on January 17, 2019 with the Deputy Commissioner of DECD and will discuss the Parson's parcel with him to see if he can give us some ideas and advice moving forward. I will keep the Council updated on the progress of these meetings.

Personnel Update

The Town is in the process of recruiting for both the Town Planner and the Town Assessor positions. The Town Planner position is currently being filled by the Assistant Town Planner, Shannon Rutherford. The Assistant Assessor, Edward Hybner, is acting as the Town Assessor. The Assessor's job has been posted and we have received several qualified candidates. The Town Planner application

deadline is January 14, 2019. Both positions will require a rigorous recruitment process, as they are highly specialized. In the meantime, we have excellent staff to facilitate the transitions.

MOTION: Agenda Item L-1

That _____ be appointed to the Building Code Board of Appeals for the balance of a five-year term beginning immediately and ending September 30, 2021. (Hammerberg)

MOTION: Agenda Item L-2

That _____ be appointed to the Conservation and Inland Wetlands Commission as an alternate for the balance of a four-year term beginning immediately and ending September 30, 2021. (Markuszka)

MOTION: Agenda Item L-3

That _____ be appointed to the Conservation and Inland Wetlands Commission as an alternate for the balance of a four-year term beginning immediately and ending September 30, 2019. (St. James)

MOTION: Agenda Item L-4

That _____ be appointed to the Economic Development Commission for the balance of a two-year term beginning immediately and ending September 30, 2020. (Russell)

MOTION: Agenda Item L-5

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2020.

MOTION: Agenda Item L-6

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2020. (Bernier)

MOTION: Agenda Item L-7

That _____ be appointed to the Plainville Area Cable TV Advisory Council for the balance of a two-year term beginning immediately and ending June 30, 2020. (Markuszka)

MOTION: Agenda Item L-8

That _____ be appointed to Tourism Central Regional District for the balance of a three-year term beginning immediately and ending June 30, 2020.

MOTION:

Agenda Item L-9

That _____ be appointed to the Unionville Historic District & Properties Commission as an alternate member for the balance of a three-year term beginning immediately and ending September 30, 2021. (Martin)

MOTION:

Agenda Item L-10

That _____ be appointed to the Water Pollution Control Authority for the balance of a five-year term beginning immediately and ending September 30, 2023. (Charette)

MOTION:

Agenda Item L-11

That _____ be appointed to the Water Pollution Control Authority for the balance of a five-year term beginning immediately and ending September 30, 2022. (Thompson)

MOTION:

Agenda Item N-1

To Consider and Take Action on the Following Blighted Building List:

14 Blueridge Drive
23 Lakeview Drive
56 Lake Garda Drive

NOTE: Under the provisions of The Code of the Town of Farmington Chapter 88 "Buildings, Blighted," the Town Council has 75 days from the date of submission to approve, disapprove, or modify the list.

14 Blueridge Drive

- Town had sent an initial letter on July 7, 2017 requesting the owner address the blight issues.
- Owner submitted a schedule for repairs on August 3, 2017, indicating most of the exterior work will be completed by the end of 2017.
- Letter sent December 18, 2017 indicating the property would be sent to the Town Council for inclusion on the 2018 Blighted Building List. Property was not added, in lieu of owner submitting a revised construction schedule approved by the Town.
- Employer had submitted a request dated January 4, 2018, for a 90-day extension due to workload and weather.
- Owner submitted a revised schedule on February 20, 2018, indicating the garage would be completed and most tools and supplies and would be moved to the garage area. Schedule also stated most of the exterior repairs would be completed by the end of July 2018.
- Letter sent to owner March 28, 2018 if no significant improvements and/or progress is made in the next few weeks, the property will be reevaluated for inclusion to the Blighted Building List.
- Letter sent to owner May 1, 2018 indicating after no significant improvements, property will be reevaluated by the Town Council.
- Property reviewed at May 8, 2018 Town Council Meeting and property was not added to the Blighted Building List.
- Letter sent to owner June 8, 2018 after onsite meeting, stating some progress has been made and confirm the owner requested a 2-month extension (August 6th) to make significant progress on the cleanup of the property, and continue with construction schedule received February 20, 2018.
- Letter sent to owner August 8, 2018 progress is being made, and cleanup shall be completed by September 8, 2018.
- Owner had submitted a revised schedule on September 17, 2018, indicating repair of garage and commencing to move items to the garage in November 2018 and completing move of items to the garage by the end of the 1st week of December 2018 and removal of dumpster by the end of December 2018.

Work on exterior of the building would commence in Jan/Feb/March 2019 and completed by April/May 2019.

- No apparent work has continued to date, and the owner does not appear to be adhering to the latest construction schedule.
- Recommend the property be added to the Blighted Building List.

23 Lakeview Drive

- Property continues to meet Blighted Building Ordinance requirements.
- Property has been on the Blighted Building List since January 14, 2009.
- Property has a total of \$26,800 in unpaid Blighted Building Liens.
- Property has a total of \$26,100 in unpaid citations from September 9, 2013 to May 12, 2014. Fines have not resulted in liens under advice of the Town Attorney.
- Legal action currently pending.
- Town has ceased fining the property owner during the legal process.
- Recommend the property remain on the Blighted Building List.

56 Lake Garda Drive

- Property is vacant and the Bank has taken over maintenance of the property.
- Paint is peeling from the exterior of the home and there is a large amount of junk around the property.
- Numerous emails and letters sent to the Bank with no response.
- Recommend the property remain on the Blighted Building List.

NOTE: Two properties have been added from the list since Town Council took action on the last Blighted Building List in 2018 and one has been removed. The home at 14 Blueridge has been added to the list because the owner has not been able to adhere to their rehabilitation schedule, and the property at 56 Lake Garda has become recently vacant this year. The property at 15 Walnut has been removed from the list due to the owner currently working on obtaining final permits to demo the building.

MOTION:

Agenda Item N-2

To consider and take action on budget targets for the 2019-2020 Fiscal Year.

NOTE: Attached is the following information:

- Adopted Budgets FY 95/96 – FY 18/19
- Five Year Expenditure Averages
- Tax Rate History FY 96/97-FT 18/19

In the past, the Town Council has set budget targets for the Town Manager and for the Board of Education. At times, the Town Council has set expenditure targets, at other times an overall tax rate target was given. For most years, the Town Council has set a target range, not a specific number. In the past, the Town Council provided some general policy direction regarding the budget.

Please note that all information needed to compile the budget is not available at this time. For example, revenues, state aid, and grand list are not yet complete.

In creating the Town Manager's recommended budget there are several factors that I review as we start each budget season. First and foremost I look to fund accounts at levels that will enable service levels to remain at high standards. Additionally, the 2018-2020 Strategic Plan, including the Town Manager Goals, provides a framework for the allocation of funds. Even though it is early in the process there is information that may be helpful to the Town Council as they review possible targets. I have listed below anticipated "budget drivers" for the FY 2019-2020 budget:

Town Operating Budget

- Cost of Living (CPI History- Bureau of Labor Statistics) - 2.2% as of November 2018
- Wage increases will be close to 3%.
- Anticipated renewals as well as program changes in our Health Insurance will likely result in between a 5% to 10% increase.
- Utilities are projected to remain stable.
- The recent street light initiative in which the Town purchased the lights and their conversion to LED should result in significant savings in our street light cost.
- The Town's Pension Contribution, which is a significant line item in the budget, should remain relatively stable.

Capital Budget

Based on the Strategic Plan and infrastructure requirements town-wide I anticipate that our Capital needs are going to be greater than what historical spending has been.

Debt Service

The Town's debt service will be increasing approximately 7% to 10% due to Waste Water Treatment Plant facility upgrade debt coming on line.

Revenue Budget

The projection for FY2018/2019 is that revenues will exceed budgeted amounts by \$1,202,275. The forecast for FY2018/2019 is based upon actual revenue received to December 31, 2018 as well as historical trends that may occur during the last six months of the fiscal year.

There are two primary drivers for the excess in revenue: state grants and interest earnings. Based on current projections, state grant revenue will exceed budget estimates by \$897,178. As of December 31, 2018 the majority of state grant revenue has been received. The only grants remaining to be received are the Revenue Sharing-Projects grant for \$545,804; the second payment of the Town Aid Roads grant for \$186,886; and two remaining payments on the Equalized Cost Sharing Grant totaling \$714,288. The forecast projects that as a result of the State of Connecticut's positive fiscal situation for this year, the Town will receive the remaining grant funds without any reductions.

Due to raising interest rates, the interest earned on investments is projected to exceed the budgeted amount by \$172,000. The Federal Reserve has raised short term rates steadily during 2018 and this has translated into banks raising the interest rates that they offer to towns for deposits. A third category of revenue that is projected to exceed budget estimates is Property Taxes. Collections to December 31, 2018 have been trending well with over 63% of the tax levy collected.

Fund Balance

Due to the positive budget results for Fiscal Year 2017/2018 approximately \$2.4 million was added to the General Fund fund balance at June 30, 2018 bringing Unassigned Fund Balance to \$14,428,990. This equals 13.6% of FY2018/2019 operating revenues. The potential addition of \$1.2 million of excess revenue at June 30, 2019 would increase this percentage to over 14% which would be at the upper range of the Town's fund balance policy.

The Town Council can take into account these (revenue forecasts) **factors** as we move through the budget process. There may be opportunities this year to review using the fund balance for one time project funding needs.

Recommendation

I am projecting at least a 3% increase in the Town's operating budget for FY 2019-2020 to maintain current service levels and continue to progress in achieving our Strategic goals.

/Attachment

**ADOPTED BUDGET HISTORY
WITH PERCENTAGE CHANGE BY FUNCTION
FY1995/96 TO FY2018/19**

| | <u>1995-96</u> | <u>1996-97</u> | <u>1997-98</u> | <u>1998-99</u> | <u>1999-00</u> |
|----------------------|------------------------|------------------------|------------------------|------------------------|-------------------------|
| BOARD OF ED | 23,789,503 2.0% | 25,189,777 5.9% | 26,735,753 6.1% | 29,163,807 9.1% | 31,176,110 6.9% |
| TOWN | 16,201,154 3.0% | 16,526,178 2.0% | 17,050,223 3.2% | 17,152,065 0.6% | 17,533,642 2.2% |
| DEBT | 3,204,016 -3.7% | 3,417,189 6.7% | 3,755,759 9.9% | 4,478,094 19.2% | 4,799,950 7.2% |
| CAPITAL IMPRV | <u>801,500</u> -30.6% | <u>1,043,000</u> 30.1% | <u>1,071,890</u> 2.8% | <u>1,341,000</u> 25.1% | <u>1,085,450</u> -19.1% |
| TOTAL | <u>43,996,173</u> 1.1% | <u>46,176,144</u> 5.0% | <u>48,613,625</u> 5.3% | <u>52,134,966</u> 7.2% | <u>54,595,152</u> 4.7% |

| | <u>2000-01</u> | <u>2001-02</u> | <u>2002-03</u> | <u>2003-04</u> | <u>2004-05</u> |
|----------------------|-------------------------|-------------------------|------------------------|------------------------|------------------------|
| BOARD OF ED | 33,357,376 7.00% | 35,602,809 6.73% | 38,684,086 8.65% | 39,600,000 2.37% | 41,976,000 6.00% |
| TOWN | 18,435,030 5.14% | 19,111,923 3.67% | 19,828,457 3.75% | 20,430,667 3.04% | 20,913,849 2.36% |
| DEBT | 4,849,132 1.02% | 5,855,152 20.75% | 6,875,233 17.42% | 7,985,151 16.14% | 8,080,960 1.20% |
| CAPITAL IMPRV | <u>2,014,000</u> 85.55% | <u>1,978,000</u> -1.79% | 2,110,000 6.67% | 1,340,500 -36.47% | 1,746,000 30.25% |
| TOTAL | <u>58,655,538</u> 7.44% | <u>62,547,884</u> 6.6% | <u>67,497,776</u> 7.9% | <u>69,356,318</u> 2.8% | <u>72,716,809</u> 4.8% |

| | <u>2005-06</u> | <u>2006-07</u> | <u>2007-08</u> | <u>2008-09</u> | <u>2009-10</u> |
|----------------------|-------------------------|-------------------------|-------------------------|--------------------------|-------------------------|
| BOARD OF ED | 44,578,512 6.20% | 46,584,545 4.50% | 48,261,432 3.60% | 48,569,606 0.64% | 49,510,762 1.94% |
| TOWN | 21,698,465 3.75% | 22,472,878 3.57% | 23,523,163 4.67% | 24,246,610 3.08% | 22,892,736 0.00% |
| DEBT | 7,897,579 -2.27% | 8,822,299 11.71% | 8,780,255 -0.48% | 8,963,000 2.08% | 9,142,000 2.00% |
| CAPITAL IMPRV | <u>2,145,500</u> 22.88% | <u>1,978,750</u> -7.77% | <u>2,519,000</u> 27.30% | <u>1,304,000</u> -48.23% | <u>635,000</u> -51.30% |
| TOTAL | <u>76,320,056</u> 4.96% | <u>79,858,472</u> 4.64% | <u>83,083,850</u> 4.04% | <u>83,083,216</u> 0.00% | <u>82,180,498</u> 0.55% |

For FY2009/2010 the Refuse appropriation is not included in the totals.

| | <u>2010-11</u> | <u>2011-12</u> | <u>2012-13</u> | <u>2013-14</u> | <u>2014-15</u> |
|----------------------|-------------------------|-------------------------|--------------------------|-------------------------|-------------------------|
| BOARD OF ED | 51,491,192 4.00% | 53,978,296 4.83% | 55,462,700 2.75% | 56,547,790 1.96% | 58,236,460 2.69% |
| TOWN | 23,501,331 2.66% | 24,160,220 2.80% | 24,710,825 2.28% | 25,330,950 2.51% | 26,179,873 3.10% |
| DEBT | 8,943,305 -2.17% | 8,703,570 -2.68% | 8,361,617 -3.93% | 7,579,198 -9.36% | 6,988,196 -7.80% |
| CAPITAL IMPRV | <u>950,000</u> 49.61% | <u>780,000</u> -17.89% | <u>1,800,000</u> 130.77% | <u>2,562,800</u> 42.38% | <u>2,944,765</u> 14.90% |
| TOTAL | <u>84,885,828</u> 3.29% | <u>87,622,086</u> 3.22% | <u>90,335,142</u> 3.10% | <u>92,020,738</u> 1.87% | <u>94,349,294</u> 2.28% |

| | <u>2015-16</u> | <u>2016-17</u> | <u>2017-18</u> | <u>2018-19</u> |
|----------------------|-------------------------|--------------------------|--------------------------|--------------------------|
| BOARD OF ED | 60,391,209 3.70% | 62,686,075 3.80% | 64,172,641 2.37% | 65,799,897 2.54% |
| TOWN | 27,118,908 3.59% | 28,229,371 4.09%* | 28,860,794 2.24% | 29,573,654 2.47% |
| DEBT | 6,818,620 -2.43% | 6,827,369 0.13% | 7,315,700 7.15% | 8,399,011 14.81% |
| CAPITAL IMPRV | <u>3,234,000</u> 9.82% | 2,856,900 -11.66% | 2,398,000 -16.06% | 2,519,000 5.05% |
| TOTAL | <u>97,562,737</u> 3.41% | <u>100,599,715</u> 3.11% | <u>102,747,135</u> 2.13% | <u>106,291,562</u> 3.45% |

*2.71% without Golf Course

**BUDGET CHANGES: LAST FIVE YEARS
BY DOLLAR AMOUNT AND PERCENT**

| <u>Expenditure Category</u> | <u>Adopted Budget</u> | <u>Dollar Increase</u> | <u>% Increase</u> |
|---|-----------------------|------------------------|-------------------|
| <u>Board of Education</u> | | | |
| 2014/2015 | 58,236,460 | 58,236,460 | 2.69% |
| 2015/2016 | 60,391,209 | 2,154,749 | 3.70% |
| 2016/2017 | 62,686,075 | 2,294,866 | 3.80% |
| 2017/2018 | 64,172,641 | 1,486,566 | 2.37% |
| 2018/2019 | 65,799,897 | 1,627,256 | 2.54% |
| Five year average | | 13,159,979 | 3.02% |
| <u>Town</u> | | | |
| 2014/2015 | 26,179,873 | 848,923 | 3.10% |
| 2015/2016 | 27,118,908 | 939,035 | 3.59% |
| 2016/2017 | 28,229,371 | 1,110,463 | 4.09% |
| 2016/2017 | | 734,442 | 2.71% |
| 2017/2018 | 28,860,794 | 631,423 | 2.24% |
| 2018/2019 | 29,573,654 | 712,860 | 2.47% |
| Five year average (with Westwoods Golf Course Included) | | 1,018,325 | 3.10% |
| Five year average (without Westwoods Golf Course Included) | | 773,337 | 2.82% |
| <u>Debt Service</u> | | | |
| 2014/2015 | 6,988,186 | 6,988,186 | -7.80% |
| 2015/2016 | 6,818,620 | -169,576 | -2.43% |
| 2016/2017 | 6,827,369 | 8,749 | 0.13% |
| 2017/2018 | 7,315,700 | 488,331 | 7.15% |
| 2018/2019 | 8,399,011 | 1,083,311 | 14.81% |
| Five year average | | 1,679,800 | 2.37% |
| <u>Capital Improvements</u> | | | |
| 2014/2015 | 2,944,765 | 2,944,765 | 14.90% |
| 2015/2016 | 3,234,000 | 289,235 | 9.82% |
| 2016/2017 | 2,856,900 | -377,100 | -11.60% |
| 2017/2018 | 2,398,000 | -458,900 | -16.06% |
| 2018/2019 | 2,519,000 | 121,000 | 5.05% |
| Five year average | | 503,800 | 0.42% |

TAX RATE HISTORY
FY1996/1997 to FY 2018/19

| Grand List Year | Fiscal Year | Tax Rate (in mills) | Change (in mills) | Percent Change | |
|------------------------|--------------------|----------------------------|--------------------------|-----------------------|---------------------------------|
| 1995 | 1996/1997 | 21.60 | (5.3) | -19.7% | Revaluation Year |
| 1996 | 1997/1998 | 22.40 | 0.8 | 3.7% | |
| 1997 | 1998/1999 | 22.80 | 0.4 | 1.8% | |
| 1998 | 1999/2000 | 22.80 | 0.0 | 0.0% | |
| 1999 | 2000/2001 | 23.60 | 0.8 | 3.5% | |
| 2000 | 2001/2002 | 25.00 | 1.4 | 5.9% | |
| 2001 | 2002/2003 | 26.50 | 1.5 | 6.0% | |
| 2002 | 2003/2004 | 21.90 | (4.6) | -17.4% | Revaluation Year |
| 2003 | 2004/2005 | 23.30 | 1.4 | 6.4% | |
| 2004 | 2005/2006 | 24.27 | 1.0 | 4.2% | |
| 2005 | 2006/2007 | 25.24 | 1.0 | 4.0% | |
| 2006 | 2007/2008 | 25.95 | 0.7 | 2.8% | |
| 2007 | 2008/2009 | 19.47 | (6.5) | -25.0% | Revaluation Year |
| 2008 | 2009/2010 | 19.76 | 0.3 | 1.5% | |
| 2009 | 2010/2011 | 20.46 | 0.7 | 3.5% | |
| 2010 | 2011/2012 | 21.27 | 0.8 | 4.0% | |
| 2011 | 2012/2013 | 21.90 | 0.6 | 3.0% | |
| 2012 | 2013/2014 | 24.07 | 2.2 | 9.9% | Revaluation Year |
| 2013 | 2014/2015 | 24.44 | 0.4 | 1.5% | |
| 2014 | 2015/2016 | 25.10 | 0.66 | 2.71% | |
| 2015 | 2016/2017 | 25.78 | 0.66 | 2.70% | |
| 2016 | 2017/2018 | 26.68 | 0.90 | 3.50% | |
| 2017 | 2018/2019 | 27.18 | 0.51 | 1.90% | Revaluation Year |
| | Averages | 23.54 | 0.01 | 0.00 | With Revaluation Years Included |
| | Averages | 23.74 | 0.78 | 3.4% | Without Revaluation Years |

| Tax Rate % Change Averages (Without Revaluation Years) | |
|---|-------|
| 5 year Avg | 2.68% |
| 10 year Avg | 2.92% |
| 15 Year Average | 3.68% |
| 18 year Avg | 3.37% |

MOTION:

Agenda Item N-3

To Set a Public Hearing on February 12, 2019 at 7:05 pm in the Town Hall Council Chambers to Amend the Farmington Town Code Chapter 118 "Housing Code."

NOTE: Over the last year a committee comprised of the Housing Authority, Health Department, and Public Works met to discuss Chapter 118 "Housing Code" of Farmington's Town Code. The committee discussed language to clean up the code as well as note areas where the State General Statutes and Public Health Code would be more relevant and applicable as the standards.

In addition to the changes made by the committee, language regarding overgrowth of vegetation, grass, and debris on personal property has been added as Article X - Property Conditions.

/Attachment

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 118

Housing Standards

[HISTORY: Adopted by the Town Council of the Town of Farmington 5-28-1963 by Ord. No. 45. Amendments noted where applicable.]

GENERAL REFERENCES

Housing agencies — See Ch. 31.

Building Code — See Ch. 83, Art. II.

Blighted buildings — See Ch. 88.

Citation hearing procedure — See Ch. 91.

Sanitation — See Ch. 152.

Garbage disposal — See Ch. 165, Art. I.

Zoning regulations — See Ch. 197.

Article I

General Provisions

§ 118-1 Purpose.

The purpose of this Housing Code is to ensure safe, sanitary and decent housing within the Town of Farmington, thereby fulfilling the Town's responsibility for providing for the health, safety and welfare of its inhabitants. The Housing Code, together with the Zoning Regulations, ~~and~~ the Building Code, and Connecticut Public Health Code are basic elements of a comprehensive program for protecting residential neighborhoods.

§ 118-2 Scope.

The Housing Code establishes minimum standards for the condition and facilities of rental dwellings or other dwelling structures. It requires, among other things, a kitchen sink, a complete bathroom unit, hot and cold running water and either central-heating or space-heating equipment of a prescribed capacity. It includes minimum standards in electrical service, window space and ventilation and the general upkeep and structural condition of the dwelling. It prescribes responsibilities of owners and occupants for maintaining the premises in a clean and sanitary condition.

§ 118-3 Administration.

[Amended 7-28-1992]

The Farmington Valley Health District ~~Department of Health and/or Public Works Department~~ shall administer the Housing Code. The ~~District-applicable department~~ is authorized to inspect all rental dwelling or other dwelling structures and to order any repairs or additional facilities necessary to meet code standards. ~~He~~ The applicable department is authorized to condemn dwellings that are unfit for human habitation and, in that situation, the owner of the condemned building must comply with the minimum standards or cease using said building for dwelling purposes. An appeal from a decision of the

FVHD or Public Works Department may be taken to the Code Enforcement Committee.

§ 118-4 **Definitions and word usage.**

A. The following definitions shall apply in the interpretation and enforcement of this chapter:

BASEMENT

A portion of a building located partly underground but having less than 1/2 of its clear floor-to-ceiling height below the average grade of the adjoining ground.

BUILDING OFFICIAL

The legally designated Building Official of the Town of Farmington or his designated assistant.

CELLAR

A portion of a building located partly or wholly underground and having 1/2 or more than 1/2 of its clear floor-to-ceiling height below the average grade of the adjoining ground.

DWELLING

Any building which is used or intended to be used, in whole or in part, for living or sleeping by human occupants, provided that temporary housing, as hereinafter defined, shall not be regarded as a dwelling. The term specifically refers to owner occupied.

DWELLING UNIT

Any room or group of rooms located within a dwelling and forming a single habitable unit, with facilities which are used or intended to be used for living, sleeping, cooking and eating.

EXTERMINATION

The control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigating or trapping or by any other recognized and legal pest elimination methods approved by the FVHD and the State Department of Health Services.

[Amended 7-28-1992]

FARMINGTON VALLEY DISTRICT DEPARTMENT OF HEALTH (FARMINGTON VALLEY HEALTH DEPARTMENT OR FVHD)

The legally designated health authority of the Town of Farmington.

[Amended 7-28-1992]

FIRE MARSHAL

The legally designated Fire Marshal of the Town of Farmington or his designated assistant.

GARBAGE

The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

HABITABLE ROOM

A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, hallways, closets, recreation rooms (but not excluding living rooms), private workshops or hobby rooms and

storage spaces.

INFESTATION

The presence, within or around a dwelling, of any insects, rodents or other pests.

MULTIPLE DWELLING

Any dwelling containing more than two dwelling units.

OCCUPANT

Any person living, sleeping, cooking or eating in or having actual possession of a dwelling unit or rooming unit.

OPERATOR

Any person who has charge, care or control of a building or part thereof in which dwelling units or rooming units are let.

OWNER

Any person who, alone or jointly or severally with others:

- (1) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter and of rules and regulations adopted pursuant thereto to the same extent as if he were the owner.

PERSON

Includes any individual, firm, corporation, association or partnership.

PLUMBING

Includes all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage-disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

RENTAL DWELLING

Any building which is used or intended to be used, in whole or in part, for living or sleeping by human occupants, provided that temporary housing, as hereinafter defined, shall not be regarded as a dwelling. This term specifically refers to tenant occupied units.

ROOMING HOUSE

Any dwelling, or that part of any dwelling, containing one or more rooming units in which space is let by the owner or operator to more than three persons who are not the husband or wife, son or daughter, mother or father or sister or brother of the owner or operator, provided that hospitals, homes for the aged and other institutions licensed by the State Department of Health Services shall not be regarded as rooming houses or as subject to the provisions of this chapter.

[Amended 7-28-1992]

ROOMING UNIT

Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

RUBBISH

Combustible and noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coke or other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust or other items as specified by the FVHD.

SUPPLIED

Paid for, furnished or provided by or under the control of the owner or operator.

TEMPORARY HOUSING

Any tent, trailer or similar structure which is used for human shelter.

TOWN ENGINEER

The legally designated Town Engineer of the Town of Farmington or his designated assistant.

- B. Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," and "premises" are used in this chapter, they shall be construed as though they were followed by the words "or any part thereof." Whenever the masculine pronoun is used it shall also mean the feminine pronoun.

**Article II
Enforcement**

§ 118-5 Inspections.

The FVHD and/or Public Works Department is hereby authorized and directed to make inspections to determine the condition of rental dwellings, dwelling units, rooming units and premises located within this Town of Farmington in order that he may perform its duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections, the FVHD and/or Public Works Department is hereby authorized to enter, examine and survey, at all reasonable times, all dwellings, dwelling units, rooming units and premises based on a registered complaint and/or concern. The owner or occupant of every rental dwelling, dwelling unit and rooming unit or the person in charge thereof shall give the FVHD free access to such rental dwelling, dwelling unit or rooming unit and its premises, at all reasonable times, for the purpose of such inspection, examination and survey. Each occupant of a rental dwelling or dwelling unit shall give the owner thereof or his agent or employee access to any part of such dwelling or dwelling unit or its premises, at all reasonable times, for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

§ 118-6 Code Enforcement Committee.

There is hereby created a Code Enforcement Committee, which shall consist of the Building Official, who shall serve as Chairman, the Fire Marshal, who shall serve as Secretary, and the Town Engineer, Town Social Worker and Farmington Valley Health District. Said Committee shall be responsible for coordinating the code enforcement program of the Town, with particular reference to the urban renewal and general planning objectives established by the Town of Farmington. Any member of the Committee may designate an official of his department to represent him at meetings of the Committee.

§ 118-7 Notice of violation.

Whenever the FVHD and/or Public Works Department determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, it shall give notice of such alleged violation to the person or persons responsible therefor, as hereinafter provided. Such notice shall:

- A. Be in writing.
- B. Include a statement of the reason why it is being issued.
- C. Allow a reasonable time for the performance or any act it requires.
- D. Be served upon the owner or his agent or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent or upon such occupant:
 - (1) If a copy thereof is served upon him personally or if a copy thereof is sent by certified mail to his last known address;
 - (2) If a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice; or
 - (3) If he is served with such notice by any other method authorized or required under the laws of this state.
- E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted pursuant thereto.

§ 118-8 Hearing.

- A. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter may request and shall be granted a hearing on the matter before the Code Enforcement Committee created in § **118-6** of this chapter, provided that such person shall file in the office of the Chairman of the Code Enforcement Committee (Building Official) a written petition requesting such hearing and setting forth a brief statement of the grounds for such within 20-10 days after the day the notice was served. Upon receipt of such petition, the Chairman of the Code Enforcement Committee shall set a time and place for such hearing and shall give the petitioner five days' written notice thereof.
- B. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified, extended or withdrawn or a variance granted.
- C. The hearing shall be commenced not later than 60 days after the day on which the petition was filed, provided that, upon application of the petitioner, said Committee may postpone the date of the hearing for a reasonable time beyond such sixty-day period if in its judgment the petitioner has submitted a good and sufficient reason for such postponement, but in no event shall said hearing be postponed longer than 60 additional days.

§ 118-9 Extension or variance.

Such hearing shall be had before the entire membership of the Code Enforcement Committee. Said Committee, by a majority vote, shall sustain, modify or withdraw the notice. It may also grant an extension or variance in accordance with the following conditions:

- A. The time for performance of any act required by the notice may be extended for not more than 18 months, subject to appropriate conditions and where the Committee makes specific findings of fact based on evidence relating to the particular case:
 - (1) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of any provisions of this chapter; and

- (2) That such extension is in harmony with the general purpose and intent of this chapter in securing the public health, safety and general welfare.
- B. A variance may be granted in a specific case and from a specific provision of this chapter, subject to appropriate conditions and where the Committee makes specific findings of fact based on evidence relating to the particular case:
- (1) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provision;
 - (2) That the effect of the application of the provisions would be arbitrary in the specific case;
 - (3) That an extension would not constitute an appropriate remedy for these practical difficulties, unnecessary hardships or arbitrary effect; and [**Amended 7-28-1992**]
 - (4) That such variance is in harmony with the general purpose and intent of this chapter in securing the public health, safety and general welfare.

§ 118-10 Orders.

If the notice is sustained, modified or extended, it shall become an order as so sustained, modified or extended. Any notice served pursuant to § **118-7** of this chapter shall automatically become an order if a written petition for a hearing is not filed in the office of the Chairman of the Code Enforcement Committee within ~~20~~10 days after such notice is served.

§ 118-11 Records; appeals.

The proceedings at such hearings, including the findings and decision of the Code Enforcement Committee, shall be summarized, reduced to writing and entered as a matter of public record in the office of the Town Manager and open to reasonable public inspection. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by a decision of the Code Enforcement Committee may seek relief therefrom in any court of competent jurisdiction within 15 days from the date of the sending of notice of the decision of the Code Enforcement Committee, in accordance with the provisions of the General Statutes of Connecticut as they relate to the taking of appeals from Zoning Commissions and Zoning Boards of Appeals.

Article III

Minimum Standards for Basic Equipment and Facilities

§ 118-12 Compliance required.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements.

§ 118-13 Kitchen.

[**Amended 7-28-1992**]

Every dwelling unit shall contain a room or space for the storage, preparation and cooking of food, which shall include space for a stove or other cooking facilities and space for dry food storage and space for refrigerated food storage and shall include a kitchen sink installed. The sink shall be in good working condition and properly connected to a hot and cold running water system under pressure and shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the Town of Farmington.

§ 118-14 Bathroom.

Every dwelling unit shall be equipped with a complete bathroom fixture group consisting of a flush water closet, lavatory basin and bathtub or shower in good working condition and installed and maintained in a manner prescribed by ordinances, rules and regulations of the Town of Farmington. Said fixture group

shall be properly connected to an approved sewer system and to an approved hot and cold running water system under pressure, except that the flush water closet shall be connected to an approved sewer system and to an approved cold running water system under pressure. The flush water closet, lavatory basin and bathtub or shower need not be installed in the same room, but said room or rooms shall afford privacy to a person within said room or rooms.

§ 118-15 Garbage and rubbish storage and disposal.

Every dwelling unit shall be supplied with adequate rubbish storage facilities and with adequate garbage disposal facilities or garbage storage containers whose type and location are approved by the FVHD. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a multiple dwelling. In all other cases it shall be the responsibility of the occupants to furnish such facilities or containers.

§ 118-16 Water-heating facilities.

The water-heating facilities necessary to provide the hot water required under §§ **118-13, 118-14, 118-52** and **118-59** shall be properly installed and connected to the hot-water lines required under those sections, shall be maintained in safe and good working condition and shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory, basin, bathtub or shower at a temperature of not less than ~~120°-115~~F. Such supplied water-heating facilities shall be capable of meeting the requirements of this section when the dwelling, dwelling unit, rooming house or rooming unit heating facilities required under the provisions of § **118-23** are not in operation.

§ 118-17 Means of egress.

Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

Article IV

Minimum Standards for Light, Ventilation and Heating

§ 118-18 Compliance required.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

§ 118-19 Minimum total window area.

Every habitable room shall have at least one window facing directly to the outdoors. The minimum aggregate glass area of windows for habitable rooms shall be not less than 1/10 of the floor area of the room served by them. Whenever walls or other portions of structures face the window of any habitable room and such light-obstructing structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be included as contributing to the required minimum total window area.

§ 118-20 Openable window area.

Every habitable room shall have at least one window which can easily be opened or such other device as will adequately ventilate the room. The total of the openable window area in every habitable room shall be equal to at least 45% of the minimum aggregate glass area of the window as required in § **118-19**, except where there is supplied some other device affording adequate ventilation and approved by the ~~FVHD~~. Public Works Department.

§ 118-21 Bathrooms and water closet compartments.

Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in §§ **118-19** and **118-20**, except where the bathroom or water closet compartment is adequately ventilated by a ventilation system which is kept in continuous or automatic operation and approved by the FVHD.

Formatted: Body Text

§ 118-22 Electrical service.

Every dwelling unit and all public and common areas shall be supplied with electric service, outlets and fixtures which shall be properly installed, shall be maintained in good and safe working condition and shall be connected to the source of electric power in a manner prescribed by the ordinances, rules and regulations of the Town of Farmington. The capacity of such services and the number of outlets and fixtures shall be as follows:

- A. Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area.
- B. Every habitable room shall have at least one floor- or wall-type electric convenience outlet for each 60 square feet or fraction thereof of floor area, and in no case less than two such outlets.
- C. Every water closet compartment, bathroom, laundry room, furnace room and public hall shall contain at least one supplied ceiling- or wall-type electric light fixture.

§ 118-23 Heating facilities.

Every dwelling or dwelling unit shall be supplied with heating facilities which are properly installed, are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments located therein to a temperature of at least ~~70°~~ 65° F., at a distance three feet above floor level, when the outdoor temperature is below 0° F. Either central- or space-heating facilities may be used, but must meet the following requirements:

- A. Every central-heating unit and/or central hot-water-heating unit shall:
 - (1) Have every heat duct, steam pipe and/or hot-water pipe free of leaks and functioning properly to provide an adequate amount of heat and/or hot water to the intended place of delivery.
 - (2) Be provided with seals between sections of hot-air furnaces to prevent the escape of noxious gases into heat ducts.
 - (3) If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner.
 - (4) Be provided with automatic or safety devices and be installed and operated in the manner required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.
- B. Every space-heating unit and/or unit hot-water facility shall:
 - (1) Not use gasoline as fuel.
 - (2) Not be of the portable type if using solid, liquid or gaseous fuel.
 - (3) If employing a flame, be connected to a flue or vent in the manner required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.
 - (4) If employing solid or liquid fuels, have a fire-resistant panel beneath it.
 - (5) Be located at least two feet away from any wall or be equipped in an approved manner with insulation sufficient to prevent the overhanging of any wall.
 - (6) If employing gaseous fuel, be equipped with other than a rubber tube or armored rubber tube connector.
 - (7) If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner.

(8) Be installed and operated in the manner required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

§ 118-24 Lighting in common areas.

Every common hallway and stairway in every multiple dwelling shall be adequately lighted with lighting facilities sufficient to provide a light intensity of at least one lumen at the floor or stair tread level at all times. Every common hallway and stairway in structures devoted solely to dwelling occupancy and containing not more than four dwelling units may be supplied with conveniently located switches controlling an adequate lighting system which may be turned on when needed instead of full-time lighting.

§ 118-25 Screening.

During that portion of each year when the FVHD deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a rental dwelling unit to outdoor space shall have supplied screens and a self-closing device. ~~Every window or other device with openings to outdoor space used or intended to be used for ventilation shall likewise be supplied with screens, provided that such screens shall not be required during such period in rooms deemed by the FVHD to be located high enough in the upper stories of buildings as to be free from such insects and in rooms located in areas of the Town of Farmington which are deemed by the FVHD to have so few insects as to render screens unnecessary.~~

§ 118-26 Basement windows.

Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement which might provide an entry for rodents or other pests shall be supplied with a screen or such other device as will effectively prevent their entrance.

Formatted: Body Text

Article V General Maintenance Requirements

§ 118-27 Compliance required.

No person shall occupy as owner-occupant or let to another for occupancy any rental dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

§ 118-28 Foundations, ceilings and roofs.

Every foundation, floor, wall, ceiling and roof shall be reasonably weathertight, watertight and rodentproof, shall be capable of affording privacy and shall be kept in good repair.

§ 118-29 Windows and exterior doors.

Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodentproof and shall be kept in sound working condition and good repair.

§ 118-30 Stairways and porches.

Every inside and outside stair, every porch and every appurtenance thereto shall be maintained and kept in sound condition and good repair.

§ 118-31 Plumbing fixtures.

Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.

§ 118-32 Floor surfaces.

Every water closet compartment, floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

§ 118-33 Conveyance of rainwater.

All rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the walls, ceilings or floors of any habitable room or of any bathroom or water closet compartment. All gutters must be maintained to shed water away from the building.

§ 118-34 General construction and installation requirements.

Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

§ 118-35 Discontinuance of services.

No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process or during temporary emergencies when discontinuance of service is approved by the FVHD.

§ 118-36 Units to be fit for human occupancy.

No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.

Article VI

Minimum Space, Use and Location Requirements

§ 118-37 Compliance required.

No person shall occupy or let to another for occupancy any rental dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements.

§ 118-38 Sleeping areas.

Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of usable floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 additional square feet of usable floor area for each additional occupant thereof.

§ 118-39 Ceiling height.

Ceiling height shall conform to the standards as required by the statutes, ordinances and regulations of the State of Connecticut and the Town of Farmington.

§ 118-40 Cellar space.

No cellar space shall be used as a habitable room or dwelling unit.

§ 118-41 Basement space.

No basement space shall be used as a habitable room or dwelling unit unless, in addition to the other provisions of this chapter:

- A. The floor and walls are impervious to leakage of underground and surface runoff water and insulated against dampness; and
- B. The minimum aggregate glass area of windows as required under § 118-19 is located entirely above the grade of the ground adjoining such window area.

§ 118-42 Floor space; calculation.

Every rental dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of the total habitable room area.

Article VII Responsibilities of Owners and Occupants

§ 118-43 **Additional nature of responsibilities.**

The following responsibilities of owners and occupants are in addition to those specified elsewhere throughout this chapter.

§ 118-44 **Maintenance of shared or common areas.**

Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the dwelling and premises thereof.

§ 118-45 **Maintenance of unit by occupant.**

Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

§ 118-46 **Rubbish disposal.**

Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by § 118-15 of this chapter.

§ 118-47 **Garbage disposal.**

Every occupant of a dwelling or dwelling unit shall dispose of all his garbage and any other organic waste which might be food for rodents in a clean and sanitary manner by placing it in the garbage disposal facilities or garbage storage containers required by § 118-15 of this chapter.

§ 118-48 **Hanging of screens.**

It shall be the responsibility of the owner to hang all screens for all rental dwelling units in a dwelling containing more than two dwelling units and for all dwelling units located on premises where more than two dwelling units share the same premises.

§ 118-49 **Extermination of pests.**

Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only dwelling unit within the dwelling that is infested. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or reasonably insectproof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or common parts of any dwelling containing two or more units, extermination thereof shall be the responsibility of the owner.

§ 118-50 **Plumbing fixtures.**

Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Article VIII Rooming Houses

§ 118-51 **Compliance required.**

No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of this chapter, except the provisions of Articles III and VII.

§ 118-52 **Bathroom facilities.**

At least one flush ~~water closet, lavatory basin toilet, sink~~ and bathtub or shower, properly connected to potable a-water and sewer system approved by the FVHD and/or Public Works Department and in good

working condition, shall be supplied for each five persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of said facilities, provided that, in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than 1/2 the required number of water closets. All such facilities shall be located with the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times in accordance with the provisions of § 118-16. No such facilities shall be located in a basement except by written approval of the FVHD.

§ 118-53 **Changing of linen.**

The operator of every rooming house shall change supplies, bed linen and towels therein at least once a week and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

§ 118-54 **Minimum usable floor area.**

Every room occupied for sleeping purposes by one person shall contain at least 70 square feet of usable floor area and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of usable floor area for each additional occupant thereof.

§ 118-55 **Means of egress.**

Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the statutes, ordinances and regulations of this State of Connecticut and the Town of Farmington.

§ 118-56 **Sanitary maintenance.**

The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for maintenance of a sanitary condition in every other part of the rooming house. He shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.

§ 118-57 **Applicability to hotels and motels.**

Every provision of this chapter which applies to rooming houses shall also apply to hotels and/or motels, except as provided in § 118-58 and except to the extent that any such provision may be found in conflict with the laws of this state or with the lawful regulations of any state board or agency.

§ 118-58 **Restrictions on eating of meals.**

No meals may be prepared or eaten in a rooming house, other than in a dwelling unit contained therein, unless such meals are prepared and eaten in communal kitchens and dining rooms conforming to the standards of §§ 118-59 and 118-60, except that this section shall not apply to the eating of meals in establishments which are operating a valid restaurant business and which have the rooming house and restaurant operations integrated as a single business enterprise.

§ 118-59 **Communal kitchens.**

A communal kitchen shall comply with the following standards:

- A. It shall contain at least 60 square feet of floor area in every case and at least 100 square feet if meals are both prepared and eaten therein.
- B. If occupants are permitted to eat meals therein, it shall be supplied with one dining chair and two lineal feet of dining table space, in addition to the surface area for food preparation required under Subsection F below, for each occupant of the rooming house permitted to eat in the kitchen, the surface of each dining table to be smooth and easily cleanable.
- C. It shall contain at least one supplied kitchen sink, 3 bay or dishmachine of an approved type which shall be supplied with hot water at all times in accordance with the provisions of § 118-16.

- D. It shall contain at least one supplied kitchen gas stove or electric stove, every such stove to have at least two top burners and an oven.
- E. It shall contain one supplied electric or gas refrigerator with an adequate food storage capacity.
- F. It shall contain one or more supplied tables or other facilities having a total surface area for food preparation of not less than six square feet, the surface of each table or other facility to be suitable for the preparation of food, smooth and easily cleanable.
- G. It shall contain at least one supplied cabinet of adequate size for and suitable for the storage of food and eating and cooking utensils.
- H. It shall be supplied by the operator with the rubbish storage facilities and the garbage disposal or storage facilities specified by § 118-15.
- I. It shall be located within a room accessible to the occupant of each rooming unit sharing the use of such kitchen without going outside of the dwelling and without going through a dwelling unit or rooming unit of another occupant.

§ 118-60 Communal dining rooms.

Where a communal kitchen does not conform to the provisions of § 118-59 relating to the eating of meals therein, meals shall be eaten in a communal dining room that complies with the following standards:

- A. It shall contain at least 70 square feet of floor area.
- B. It shall be supplied with one dining chair and two lineal feet of dining table space for each occupant of the rooming house permitted to eat in the dining room, the surface of each dining table to be smooth and easily cleanable.
- C. It shall be located on the same floor of the rooming house as the communal kitchen in which the meals are prepared and shall be as nearly adjacent to the communal kitchen as is practicable.
- D. It shall be located within a room accessible to the occupant of each rooming unit sharing such dining room without going outside of the dwelling and without going through a dwelling unit or rooming unit of another occupant.

§ 118-61 Posting of no-cooking signs.

The operator of any rooming house shall post in every rooming unit a sign on which shall be written or printed in letters not less than 3/8 inch in height the following words: "No cooking permitted in this room," and such sign shall remain so posted at all times the room is occupied.

Article IX Unfit Dwellings

§ 118-62 Compliance with procedure required.

The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements.

§ 118-63 Defects constituting unfit dwelling.

Any dwellings or dwelling units which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the FVHD [and/or Public Works Department](#):

- A. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.

- B. One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public as prescribed by the provisions of this chapter.
- C. One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

§ 118-64 Vacation of placarded building.

Any dwelling or dwelling unit condemned as unfit for human habitation and so designated and placarded by the FVHD and/or Public Works Department shall be vacated within a reasonable time as ordered by the FVHD.

§ 118-65 Removal of placard.

No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the FVHD and/or Public Works Department. The FVHD and/or Public Works Department shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based has been eliminated.

§ 118-66 Defacing or illegal removal of placard.

No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in § 116-65.

§ 118-67 Hearing.

Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request, in writing, and shall be granted a hearing on the matter before the Code Enforcement Committee under the procedure provided by §§ **118-6** through **118-11**.

Article X
Property Conditions

§ 118-68 Vegetation.

The growth and maintenance of all landscaping on any premises, including, but not limited to, shrubs, hedges, weeds, trees, grass and plants, shall comply with the standards as outlined below:

Grass, Weeds and/or Vegetation shall comply with the following standard:

(1) No owner or occupant of any premises shall permit grass, weeds, or vegetation to grow to a height greater than one foot on any premises with a building or a dwelling, throughout property line and up to the curblin, unless such weeds or similar vegetation is planted as a crop to be harvested or for ornamental purposes;

Shrubs, Hedges, and/or Trees shall comply with the following standards:

(1) Not block or interfere with the use of any public sidewalk and/or public or private street or right-of-way or obstruct the sighting of any road sign or sight lines.

(2) Not obstruct utility lines or other cables to and around the premises.

§ 118-69 Accumulation of debris on property.

The owner or occupant of any premises shall be responsible for maintaining such parcel of land in a clean and sanitary condition and free from garbage, rubbish, or other refuse, and limit the accumulation of debris throughout the property.

Formatted: Font: Bold

Formatted: Font: Bold

Debris shall mean material which is incapable of immediately performing the function for which it was designed, including but not limited to, abandoned, discarded, or unused objects; junk comprised of equipment such as parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, and garbage. This definition shall not be applicable to premises that are a junkyard licensed by the State of Connecticut.

§ 118-70 Enforcement.

Formatted: Font: Bold

The Town's Enforcement Officer or agent is authorized to issue an order to a violator of these regulations. If such violation has not been remedied within 10 days of the date of issuance of the order, or schedule set forth therein, the Enforcement Officer, or such other Town official or employee designated by the Town Manager to issue citations, unless such time has been extended for good cause by the Enforcement Officer, shall issue a citation to the violator.

Article XI
Miscellaneous Provisions

§ 118-~~68~~71 Penalties for offenses.
[Amended 7-28-1992]

Any person who ~~shall~~ violates any provision of this chapter ~~may~~ shall be subject to a citation of not more than \$100, ~~upon conviction, be punished by a fine of not more than \$100,~~ and each day's failure to comply with any such provision shall constitute a separate violation.

§ 118-~~69~~72 Conflicts with other laws.

In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety, public health or other ordinance or code of the Town of Farmington or the Connecticut Public Health Code, the provisions which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

§ 118-~~70~~73 Permit required to create certain dwelling units.

No dwelling unit or rooming unit shall be created within an existing structure or converted, remodeled or altered so as to create an additional dwelling unit or rooming unit unless the Building Official has issued a written permit certifying that the plans and specifications for such work indicate that the provisions of this chapter will be complied with.

§ 118-~~71~~74 Enforcement.
[Added 3-28-1995]

This chapter has been specifically designated for enforcement by citations issued by designated municipal officers or employees, and the citation hearing procedure established by Chapter **91** of the Farmington Code shall be followed.

MOTION:

Agenda Item N-4

To Set a Public Hearing on the Town Manager's Proposed Seven-Year Capital Improvement Plan on February 26, 2019 at 6:00 p.m. in the Town Council Chambers.

NOTE:

Proposed Schedule

| | |
|-------------------------------|----------------|
| Public Hearing Capital Budget | 6:00 - 6:30 PM |
| Board of Education | 6:30 - 7:30 PM |
| Town Departments | 7:30 - 9:30 PM |

Please Note: The February 26, 2019 Regular Town Council meeting is scheduled to begin at 6:00 pm to accommodate the Public Hearing.

MOTION:

Agenda Item N-5

To approve the following property tax refunds.

| NAME | REASON | AMOUNT |
|--------------------|---------------------|------------------|
| Acar Leasing | Assessor adjustment | \$305.66 |
| Cutler Prudence | Assessor adjustment | \$7.40 |
| Diamler Trust | Assessor adjustment | \$282.53 |
| Ford Credit | Assessor adjustment | \$288.19 |
| Honda Lease | Assessor adjustment | \$209.24 |
| Hyundai Lease | Assessor adjustment | \$116.48 |
| Ioffe Nataly | Assessor adjustment | \$683.75 |
| Nissan Infiniti | Assessor adjustment | \$353.69 |
| Pedrotty James | Assessor adjustment | \$11.31 |
| Phelps Mark | Assessor adjustment | \$10.79 |
| Toyota Lease | Assessor adjustment | \$1524.57 |
| VW Credit | Assessor adjustment | \$1206.42 |
| | | |
| Grand Total | | \$5000.03 |

MOTION:

Agenda Item O-1

Executive Session—To discuss matters concerning the sale or acquisition of real property.

To adjourn the meeting to executive session as permitted by Connecticut General Statutes Section 1-225 (a) for the following purposes as allowed by Section 1-200(6), that is

Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned;

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Manager

NOTE: Approval of this motion shall be by 2/3 vote.

MOTION:

Agenda Item O-2

Executive Session—To discuss matters concerning Collective Bargaining.

To adjourn the meeting to Executive Session as permitted by Connecticut General Statutes Section 1-225 (a) for the following purposes as allowed by Section 1-200(6), that is

Discussion of any matter, which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1-210. (9) records, reports and statements of strategy or negotiations with respect to collective bargaining;

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Manager

NOTE: Approval of this motion shall be by 2/3 vote.