

RE: Corporation Counsel Opinion for Transportation Committee

Toma, Michael

Tue 8/18/2020 4:01 PM

To: Rosenson, Valerie <VRosenson@StamfordCT.gov>;

Cc: Watkins, David <DWatkins1@StamfordCT.gov>; Emmett, Kathryn <KEmmett@StamfordCT.gov>;

Rep. Watkins and Valerie:

In response to your question concerning the proposed ordinance amendment on the agenda of this week's Transportation Committee meeting, I offer the following. Seasonal residential parking permit zones are new to the Code, and none yet exist. Under the proposed amendment, people would be able to park in newly created seasonal residential parking permit zones not only with a residential parking permit for the zone, but also with beach permits. I see no legal or Charter impediment to allowing holders of beach parking permits to park in residential parking permit zones. Such a matter is purely an issue of local law, and the BOR can adopt such a regulation if it so wishes. One theoretical outcome of the proposed amendment is that in a zone where parking is restricted, adding beach parking permit holders to the universe of persons who can park in the zone creates potentially heavy use of parking spaces that could lead to residential parking permit holders being without parking; this theoretical result would not affect the proposal's legality, as long as the ordinance adopted by the BOR is rationally related to a legitimate governmental concern.

Michael Toma
Law Department

From: Rosenson, Valerie
Sent: Tuesday, August 11, 2020 2:34 PM
To: Emmett, Kathryn; Isidro, Judith
Subject: FW: Corporation Counsel Opinion for Transportation Committee

Please see the request below for a legal opinion from Chair David Watkins. The draft ordinance is attached for your reference

Valerie T. Rosenson
Legislative Officer
Board of Representatives
[888 Washington Boulevard, 4th Floor](#)
[Stamford, CT 06904-2152](#)
203.977.5032
VRosenson@StamfordCT.gov

From: Watkins, David
Sent: Tuesday, August 11, 2020 2:29 PM
To: Rosenson, Valerie
Subject: Corporation Counsel Opinion for Transportation Committee

Valerie

As you know, Representative McMullen has proposed an Ordinance Amendment that would allow cars displaying a valid beach parking permit to park in areas that have elected to be covered by a Residential Parking Permit Program. The Transportation Committee will consider this proposal at our meeting on August 20th, but I want to be sure that Corporation Counsel sees no legal or City Charter impediment to using Beach Parking Permits for parking in other than City Owned Beaches

Best Regards

David Watkins
District 1, Board of Representatives
Cell 917-626-3620