



## **Legislative & Rules Committee – Board of Representatives**

Benjamin Lee, Chair

Elise Coleman, Vice Chair

# **Committee Report**

**Date:** Tuesday, July 20, 2021  
**Time:** 7:00 p.m.  
**Place:** This meeting was held remotely.

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee, Vice Chair Coleman, and Committee Member Reps. Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky. Also present were Reps. Adams, Di Costanzo, Figueroa, Matherne, McMullen Morson, Palomba, Pavia, Quinones, Sherwood, and Stella; Tilford Cobb, Animal Control Officer; Kathryn Emmett, Dana Lee, Chris Dellaselva, Mike Toma, Law Dept.; Sandy Dennies, Director of Administration; Ralph Blessing, Land Bureau Chief; Taylor Gray, Mayor's Office; Bharat Gami, Chief Building Official; and nine members of the public.

Chair Lee called the meeting to order at 7:01pm

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
12. <a href="#">LR30.110</a>	ORDINANCE for public hearing and final adoption; Concerning a Tax Abatement Agreement Between the City of Stamford and St. John Urban Development Corporation. 05/08/21 – Submitted by Mayor Martin 06/22/21 – Approved by Committee 9-0-0	<b>Approved 9-0-0</b>

The Committee first considered Item No. 2. Chair Lee opened the Public Hearing. There being no one from the public wishing to speak, the Public Hearing was closed.

Chair Lee noted that correspondence was received from a constituent and it is attached to the item as part of the record.

There was a brief discussion of this item with Ms. Dennies:

- There are 240 units with an assessed value of \$17 million.
- This abatement requests payment of 25% of the assessed value times the mill rate.
- The owner is looking to renovate the existing facilities into affordable housing, low and moderate income.
- There is no monitoring of income after the initial check when a person moves into unit.
- This is a 30 year agreement.

A motion to approve Item No. 2 was made, seconded and approved by vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor).

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<sup>1</sup> Video Time Stamp: 00:02:36

23. [LR30.103](#) ORDINANCE for final adoption; Potential Amendment to §111-6 of the Code of Ordinances, Relating to the Control of Dogs. **Approved as Amended 8-0-1**
- 12/07/20 – Submitted by Reps. Jacobson, Sherwood and Zelinsky  
12/22/20 – Held by Committee 8-0-0  
01/19/21 – Held by Committee 8-0-1  
02/16/21 – Report Made & Held by Committee 9-0-0  
03/26/21 – Held by Committee 9-0-0  
04/20/21 – Held by Committee 6-0-0  
05/18/21 – Approved by Committee, as amended, 8-0-0  
**06/22/21 – Public Hearing Held and Approved by Committee, as amended, 9-0-0**  
**07/06/21 – Held by Full Board**

Rep. Jacobson explained that there were concerns regarding the enforceability of “temporary and “reasonable” wording. He analyzed other municipalities’ ordinances to come up with his proposed changes to Section B which are to delete (4)(a) and to add (5):

- (4) No persons shall tether a dog to a stationary object or to a mobile device:  
~~(a) For an unreasonable amount of time per Connecticut General Statutes, Section 22-350a;~~
- (5) No provision of Section 4 shall be construed to permit the tying, chaining, or otherwise tethering of any animal outdoors as a means of confinement for a time period exceeding 30 minutes unless the owner or keeper is outside with the dog and the dog is in the owner's or keeper's view.

There was discussion of this item with Officer Cobb:

- Officer Cobb agrees that 30 minutes is a good time frame.
- Infractions cannot be issued under the current State Statutes. This ordinance gives officers the tools to issue citations.
- Infractions are not usually issued based solely on a complaint. The Animal Control Officers conduct a thorough investigation to find out what is going on.
- To monitor the complaint, an officer will sit at the road for at least 30 minutes to see if the dog is unattended.
- This ordinance aims to prevent dogs from living outside all or most of the time.
- This amendment addresses dogs being tethered outside without owner supervision for more than 30 minutes. A dog can be tethered longer if the owner is present.
- When an owner is with the dog they can intervene immediately if a problem arises.
- Protecting animal rights issues makes our community safer for everyone.

Some concerns about the ordinance were:

- Can the officer always see from the street that the dog is not in view of the owner?
- Small dogs and large dogs have different comfort and safety levels outside.
- There is a wide span between unattended 24/7 tethering and 30 minutes.

A motion to amend Item No. 3 to replace the current draft with Rep. Jacobson’s 7/20/2021 submission was made, seconded and approved by a vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor).

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<sup>2</sup> Video Time Stamp: 00:12:15

A motion to add a new Sec. B(8) *“If a person tethers their dog in an otherwise safe manner as described herein the owner or keeper is not required to be outside with the dog and the dog in the owner’s view if the dog otherwise suited for the weather”* was made, seconded and failed by a vote of 2-6-0 (Reps. Coleman and Zelinsky in favor; Reps. Lee, Fedeli, Florio, Jacobson, Miller, and Nabel opposed).

A motion to add an amendment *“If dogs have been tethered unsupervised in the past and the dog(s) are otherwise tethered in a safe manner as described above those dogs shall not be subject penalty as described herein as such a ban on tethering would constitute cruelty to those dogs”* was made and failed.

A motion to add an amendment *“Any person who complains about a tethered dog and such complaint is found to be without merit shall be subject to a fine comparable to the fine that would have been imposed on the dog owner or keeper”* was made and failed.

A motion to approve Item No. 3 as amended was made, seconded and approved by vote of 8-0-1 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, and Nabel in favor; Rep. Zelinsky abstaining).

- <sup>3</sup>1. [LR30.101](#) ORDINANCE for public hearing and final adoption; **Approved 9-0-0**  
Creating a Stamford Appointments Commission.  
05/05/21 – Submitted by President Quinones and Rep.  
Stella  
05/18/21 –Held by Committee 8-0-0  
**06/22/21 –Approved by Committee 9-0-0**

**As a Secondary Committee: Appointments**

Chair Lee opened the Public Hearing. Three members of the public spoke: Kieran Edmondson and Susan Halpern spoke in favor of the item; Barry Michelson spoke in opposition of the item.

There being no one else from the public wishing to speak, the Public Hearing was closed.

A motion to approve Item No. 1 was made, seconded and approved by vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor).

- <sup>4</sup>4. [LR30.116](#) ORDINANCE for publication; Amending Code of **Approved 9-0-0**  
Ordinances Chapter 155 – Lighting, §155-9,  
Enforcement.  
05/12/21 – Submitted by Mayor Martin

Mr. Dana Lee, Mr. Gami and Mr. Blessing spoke on the proposed amendment and there was discussion.

- This amendment expands the enforcement authority to include the Zoning Enforcement Officers, Citation Officers, and Building officials.
- It will allow more opportunities to enforce with more groups of people.
- It allows the utilization of Citation Officers to go out at night to make observations.

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<sup>3</sup> Video Time Stamp: 01:58:18

<sup>4</sup> Video Time Stamp: 02:07:00

- There will be further discussions of the division of responsibilities, but that would be more of a procedural issue; it may or may not require further revision of the Ordinance.
- The amendment makes an ambiguous provision more clear, for now and in the future.
- The \$100 fine is consistent with other sections so the rest of the language regarding fines was eliminated.

A motion to approve Item No. 4 was made, seconded and approved by vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor).

<sup>5</sup>5. [LR30.075](#) RESOLUTION; Relating to Email List Compilation and Use (formerly C30.018) **Held 9-0-0**  
 05/08/19 – Submitted by Rep. Lion  
 05/16/19 – Approved by Committee, as amended, 5-0-0  
 06/03/19 – Held by Full Board  
 08/05/19 – Held by Full Board and Moved to L&R  
 08/20/19 – Held by Committee 6-0-0  
 10/15/19 – Moved to Pending

- This item was originally submitted two years ago to create an email list for Representatives to use to communicate with their constituents.
- The idea was to encourage the Administration to set up ways which could capture resident emails.
- Use of the email list would be a controlled mechanism so if a Representative wanted to reach out to constituents they could do so.
- It is important this list is not used for campaigning.
- Any communications would first be approved by someone at the Administrative level to eliminate concerns about misuse.
- The email list would be owned by the City, not the Representatives.
- Attorney Emmett stated there could be significant legal issues and liability concerns about what is communicated in these emails. It could be very difficult to keep track of this.

Chair Lee and Rep. Zelinsky will work together to summarize a request for a legal opinion.

A motion to hold Item No. 5 was made, seconded and approved by vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor).

Chair Lee adjourned the meeting at 9:51pm.

Respectfully submitted,  
 Benjamin Lee, Chair

This meeting is on [video](#).

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<sup>5</sup> Video Time Stamp: 02:27:40