



Legislative & Rules Committee – Board of Representatives

Eileen Heaphy, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Monday, March 21, 2015

Time: 6:30 p.m.

Place: Republican Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Heaphy, Vice Chair Coleman and Committee Member Reps. Day, Mitchell, Nabel, Okun, Ryan, Silver and Zelinsky. Also present were Rep. McMullen; Jon Gottlieb, Charter Oak; Tilford Cobb, Animal Control Officer; Michael Toma and Burt Rosenberg, Law Department; and several members of the public.

Chair Heaphy called the meeting to order at 6:35 p.m.

| Item No. | Description | Committee Action |
|--|---|------------------------------------|
| ¹ 1. LR29.052 | ORDINANCE, <u>for final adoption</u> ; Amending Chapter 111. Public Safety and Animal Welfare. 06/02/15 – Submitted by Mayor Martin and Rep. Heaphy 06/15/15 – Held in Committee 07/21/15 – Held in Committee 08/31/15 – Held in Committee 09/21/15 – Held in Committee 10/29/15 – Held in Committee 11/16/15 – Approved by Committee for publication 12/14/15 – Held at Steering 01/19/16 – Public Hearing Held & Held in Committee | Held in Committee 9-0-0 |

Secondary Committee: Public Safety & Health

The Committee reviewed the most recent draft of this ordinance, as revised by Chair Heaphy, as follows:

- In Section 111-6.A, the definition of roaming dog should be the same as the definition of roaming cat in Section 111-7.A
- The definition of Owner/Keeper in Section 111-7.A should be changed to Keeper, since feral cats are not owned
- Committee members discussed the cost of spaying/neutering. Chair Heaphy and Mr. Cobb noted that there are several low cost options available, including state vouchers,

¹ Video Time Stamp 00:00:02

animal control programs and low cost clinics. Information on these programs is available from the Animal Control Center. In addition the Animal Control Center has a program with the CT Humane Society in Westport for the free spaying/neutering of feral cats that are impounded, which are then returned to the feral cat groups that bring them in

- Section 111-7.B should be split into 2 subsections – Subsection B will be Roaming Cats and Subsection C will be Stray Cats.
- There is no additional cost for the tipping of spayed/neutered cats.
- The first sentence of Section 111-10.B should read “shall operate” instead of operates, and the second sentence of the section should be deleted
- Section 111-10.E should be amended to add “and animal owner groups” to the end of the sentence.
- Committee members discussed consolidating Section 111-10 and reducing some of the detail. Chair Heaphy will work on a redraft.
- Section 111-11.A should be deleted.
- Committee members discussed the need for the parvovirus vaccination. Mr. Cobb explained that it is highly contagious and dangerous to dogs. The second sentence of Section 111-11.B was revised to require owners of dogs up to one year old to provide proof of the parvovirus vaccination for licensing. . The last sentence of the section was deleted.
- Section 111-11.D (1) should be amended to change “may” to “shall”
- Mr. Toma explained that the first sentence of the new language regarding nuisance came directly from the State statute regarding nuisance dogs and the second sentence comes from Mr. Cobb’s concerns about enforcement. Committee members discussed how the animal control officer should respond to nuisance complaints, and recommended that Section 111-11.E(1) be amended as follows:

Owners/keepers are responsible for preventing their pets’ nuisance behavior ~~such as barking, howling, digging in other public or private property and other activities outlined in previous sections.~~ No person shall own or harbor any animal which is a nuisance by reason of vicious disposition or which produces excessive noise, or other disturbance, or by such excessive noise or other disturbance, is a source of annoyance to any ~~sick~~ person residing in the ~~immediate vicinity~~ neighborhood. The Animal Control Officer ~~shall~~ may respond to a complaint, however, the Animal Control Officer may require complaints from at least two neighboring properties before he/she will commence an investigation into whether an animal is a nuisance under this section.
- Section 111-11.D(2) should be deleted.
- Section 111-12.A should be amended to delete subsection (1), removed the reference to “more than once” in subsection (2); delete the last sentence of subsection (2); reword subsection (5) to amend “should have no” to “shall not”; and delete the words “for resale” from subsection (6)
- Section 111-12.B was amended to add the word “documented” before “history in subsections (5) and (6).

A motion to hold this item was made, seconded and approved by a vote of 9-0-0 (Reps. Heaphy, Coleman, Day, Mitchell, Nabel, Okun, Ryan, Silver and Zelinsky in favor)

2. [LR29.065](#) ORDINANCE, for publication; Concerning a Tax Abatement Agreement Among The City Of Stamford and Park 215 Limited Partnership and The Housing Authority of The City Of Stamford for 47 Below Market Units Located At 195-215 Stillwater Ave. 03/08/16 – Submitted by Mayor Martin

Approved 6-0-3

Mr. Rosenberg explained that this abatement is for Vidal Court. There are a total of 78 units, with 47 being at below market rent, and the abatement period is for 30 years.

In response to questions and comments from the committee, Mr. Gottlieb explained:

- The land is owned by Charter Oak which then ground leases it to the partnership for 98 years; this is why Charter Oak is a party to the agreement. The improvements are owned by the partnership
- The property consists mostly of 2 bedroom units
- 23 of the units are for earmarked for below 25% area median income and are project-based Section 8 vouchers, under which a resident would pay 30% of their income for the rent and utilities
- The utility allowance per unit is \$150
- The market rate rent for the 1 bedroom units is \$1250 and for the 2 bedroom units is \$2115 (This rate is for 2018)
- The other 24 units are for families at 50% of the area median income – those rents would be \$1550 for a 2 bedroom, including utilities. There is no 60% AMI category
- The State is only providing money for capital development, not for operating costs
- If HUD cancelled the Section 8 program, they would not be able to guarantee keeping more than 12 units at below 25% AMI
- The people paying with §8 vouchers will be paying less than they would have at a State development
- The 30 year term is a requirement to get State funding
- The project is not eligible for PILOT (Payment in lieu of taxes); they will pay taxes on the market rate units (based on the City's assessed value) and also a "shelter rate" on the income of the below market units
- The development cannot be restricted to Stamford residents, but the primary group of tenants are Stamford residents

A motion to approve this ordinance for publication was made, seconded and approved by a vote of 7-0-2 (Reps. Heaphy, Day, Nabel, Okun, Ryan and Silver in favor; Reps. Coleman, Mitchell and Zelinsky abstaining).

Chair Heaphy adjourned the meeting at 9:15 p.m.

Respectfully submitted,
Eileen Heaphy, Chair

This meeting is on [video](#).

² Video Time Stamp 02:06:46