



MICHAEL P. STUPINSKI  
First Selectman

STATE OF CONNECTICUT • COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

55 MAIN STREET • P. O. BOX 187  
ELLINGTON, CONNECTICUT 06029-0187  
TEL 860-870-3100 FAX 860-870-3102  
www.ellington-ct.gov

MICHAEL P. SCUDIERI  
Deputy First Selectman

PETER J. CHARTER  
DENNIS W. FRAWLEY  
ANN L. HARFORD  
A. LEO MILLER, JR.  
JAMES M. PRICHARD

## NOTICE OF PUBLIC HEARING TOWN OF ELLINGTON Monday, December 11, 2006

The Town of Ellington will hold a public hearing on Monday, December 11, 2006, at 7:30 p.m., prevailing time, at the Ellington Town Hall in Ellington, Connecticut, for the purpose of allowing citizens to comment upon a proposed new ordinance as follows:

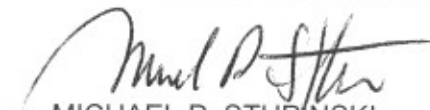
### ***"AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITATIONS FOR VIOLATION OF ZONING REGULATIONS"***

All interested parties are encouraged to attend.

The proposed ordinance is available to review in the Town Clerk's Office and First Selectman's Office.

DATED at Ellington, Connecticut, this 28<sup>th</sup> day of November, 2006.

BY ORDER OF THE BOARD OF SELECTMEN

  
MICHAEL P. STUPINSKI  
FIRST SELECTMAN

## Chapter 48 CITATIONS-ZONING VIOLATIONS

§ 48-1. Definitions

§ 48-2. Authority to issue citations; fines.

§ 48-3. Service of notice; citation.

§ 48-4. Notice of hearing

§ 48-5. Appointment of Hearing Officer; hearing procedure.

§ 48-6. Citations and procedures

**[HISTORY: Adopted by the Town of Ellington on MM-DD-YYYY, effective MM-DD-YYYY. Amendments noted where applicable.]**

---

**§ 48-1. Definitions.** (Masculine terms include the feminine.)

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

**CITATION** -- A written statement of the relevant conditions and facts giving rise to the zoning violation, including a reference to the specific section(s) of the zoning regulations which has been violated.

**CITED PERSON** -- The person, individual, firm, partnership, corporation, limited liability company, association, or business or any other entity to whom or to which a notice of violation was issued by an official, as defined herein.

**OFFICIAL** -- The Zoning Enforcement Officer, Deputy Zoning Enforcement Officer or municipal official charged with enforcing a municipal ordinance or regulation or who issued the notice of violation or citation.

**§ 48-2. Authority to issue citations; fines.**

Pursuant to Connecticut General Statute (CGS) §8-12a, as may be amended, and in addition to the remedies provided in CGS §8-12, an official, as defined herein, is hereby authorized to issue citations for violations of the Zoning Regulations of the Town of Ellington. The fine for each zoning violation may not exceed one hundred and fifty dollars (150.00) for each day a violation continues. Any such fine shall be made payable to the treasurer of the Town of Ellington.

**§ 48-3. Service of notice; citation.**

Any citation issued under this chapter shall be and is sufficient if provided in one of the following forms, unless otherwise stated:

- A. In hand delivery by an official charged with enforcing the ordinance or regulation.
- B. Certified mail, return receipt requested to the last known address of the person cited or to the address listed in the records of the Assessor's Office.

- C. Delivery by any commercial carrier or delivery service such as, but not limited to, FedEx or UPS.
- D. A commercial process server, state marshal, police officer or constable.

When a citation is refused by any of the above methods, it may be sent by first class mail. The Official issuing citation shall retain a true and attested duplicate original of such citation.

**§ 48-4. Notice of hearing.**

Pursuant to CGS §7-152c(e), as may be amended, upon request of a hearing, written notice of the date, time, and place for such hearing shall be given by first class mail to the person cited. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of such notice.

**§ 48-5. Appointment of Hearing Officer; hearing procedure.**

- A. The First Selectman shall appoint, subject to confirmation by the Board of Selectmen, one or more Citation Hearing Officers to conduct the hearings authorized by this chapter. The Citation Hearing Officer(s) shall be other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section. The Citation Hearing Officer shall serve for a term of two years, unless removed for cause.
- B. If a hearing is requested, it shall be conducted in accordance with the provisions of CGS §7-152c(e), as may be amended.

**§ 48-6. Citations and procedures.**

- A. Any person receiving a citation shall have thirty (30) days from the date of the citation to make an uncontested payment, without requesting a hearing.
- B. If the person cited fails to pay the fine within the time prescribed in subsection A of this section, an official authorized to issue citations may at any time within twelve (12) months of the expiration of said uncontested payment period, enforce said citation by sending the cited person a notice informing him:
  - (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due;
  - (2) That he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten (10) days of the date thereof;
  - (3) That if he does not demand such a hearing, an assessment of fine and judgment shall be entered against him; and
  - (4) That such judgment may issue without further notice.
- C. The failure to pay the assessment of any fine(s) made by the citation hearing officer may result in a Superior Court judgment as provided by CGS §7152(f), as may be amended, entitled to judicial review as provided in CGS §7152c(g), as may be amended.