



OFFICE
OF THE
TOWN COUNCIL

Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074-2786

AREA CODE 860/644-2511

FAX 860/644-3781

TO BE PUBLISHED IN THE JOURNAL INQUIRER

January 25, 2016

LEGAL AD

TOWN OF SOUTH WINDSOR

Notice is hereby given that the South Windsor Town Council has set **Monday, February 1, 2016, at 8:00 p.m.**, in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut as the time and place for a Public Hearing to receive citizen input on the establishment of a **Proposed Ordinance Concerning Panhandling**, a copy of which is on file in the Office of the Town Clerk.

Dated at South Windsor, Connecticut this 22nd day of January 2016.

Attested to by:

Deborah W. Reid
Deborah W. Reid
Clerk of the Council

PUBLIC NOTICE

LEGAL NOTICE TOWN OF SOUTH WINDSOR

Notice is hereby given that the South Windsor Town Council has set **Monday, February 1, 2016, at 8:00 p.m.**, in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut as the time and place for a Public Hearing to receive citizen input on the establishment of a **Proposed Ordinance Concerning Panhandling**, a copy of which is on file in the Office of the Town Clerk.

Dated at South Windsor, Connecticut this 22nd day of January 2016.

Attested to by: Deborah W. Reid
Clerk of the Council

Journal Inquirer
January 25, 2016

DIVISION 3. – AGGRESSIVE OR HAZARDOUS PANHANDLING

Sec. 70-56. - Definitions

- (a) A person acts "recklessly" with respect to a result or to a circumstance described by Sec. 70-57 when the person is aware of and consciously disregards a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that disregarding it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.

Sec. 70-57. – Unlawful Aggressive or Hazardous Activity

It shall be unlawful for any person to engage in one or more of the following activities:

- (a) Recklessly approaching, speaking to, or following a person in a manner which would cause a reasonable person to fear bodily harm.
- (b) Recklessly approaching, speaking to, or following a person in a manner which would cause a reasonable person to fear the commission of a criminal act upon such person's property.
- (c) Touching another person without that person's consent.
- (d) Recklessly blocking or interfering with the safe passage of a person or vehicle in a way likely to cause bodily harm or property damage.
- (e) Directing abusive or profane language toward any person.
- (f) Standing on any roadway or roadway median, including the areas immediately adjacent thereto, previously designated by the Town, through its legal traffic authority, as a place where standing is hazardous to the safe travel of persons or traffic. Prior to enforcing the provisions of this subsection (f), a police officer shall first notify the person that the Town has designated such roadway or roadway median as a place where standing is hazardous to the safe travel of persons or traffic, and the police officer shall give such person an opportunity to leave the roadway or roadway median.

Sec. 70-58. – Hazardous roadways or roadway medians

The Town of South Windsor, through its legal traffic authority, may designate roadways or roadway medians, including the areas immediately adjacent to said roadway or median, as a place where the presence of pedestrians is hazardous to the safe travel of persons or traffic. The Chief of Police, acting as the Town's legal traffic authority, shall designate roadways or roadway medians, including the areas immediately adjacent to said roadway or median, as to which pedestrian use should be restricted in the interest of public safety. Upon designation of such roadway or median, the Chief of Police shall submit the same to the Town Clerk and to the Clerk of Town Council, and said

designations shall be posted at the Town Hall and on the Town Website. Posting of the same shall be deemed as sufficient notice to the public of said designations.

Sec. 70-59. – Penalties and Appeal

A person who violates any provision of Sec. 70-57 shall be fined not more than \$90.00, or imprisoned for not more than one day, or both. A person who has been issued a notice of violation may demand a hearing as to the roadway or median designation which was the subject of the violation, if within 15 days after receipt of the issuance of the notice of violation, the individual makes a written demand for a hearing by mailing the demand to the Chief of Police by certified mail, return receipt requested. The hearing shall be conducted by a Board consisting of the Chief of Police or his/her designee, the Town Manager or his/her designee, and the Director of Planning or his/her designee. A hearing, if any, shall be conducted on or before the 30th day after the date of the mailing, publication or service of the notice of violation. The failure of the individual to request a hearing shall constitute a waiver of the right thereto. A decision of the Board shall be deemed to have been served on the date a copy thereof has been mailed to the owner by certified mail, return receipt requested, to the address set forth in the notice of violation or to any other address requested by the owner in writing. At the hearing, the individual may contest the propriety of the designation of the roadway or roadway median at issue, including the areas immediately adjacent to said roadway or median, as a place where the presence of pedestrians is hazardous to the safe travel of persons or traffic. The Board shall consider the individual's arguments and shall thereafter render its written decision by a majority of those present and voting having applied the criteria set forth in this Ordinance. The individual's remedies as to the notice of violation shall be those available to the individual through the Superior Court.