

CITY OF MIDDLETOWN
PROPOSED BUDGET
2016-2017



MAYOR DANIEL T. DREW

April 1, 2016

The Charter – our community’s constitution – calls on me to make periodic reports to the Common Council about the health of the City of Middletown.

I am pleased to report to you that, despite the backdrop of budgetary challenges at the state level, the state of our city is strong.

I communicate this fact in the context of a series of successes for our community that translate into lower property taxes, less debt, greater job opportunities, and the delivery of excellent public services to the people of our community.

Recently, FedEx Ground announced plans to locate a massive northeast regional package distribution hub on Middle Street. When it reaches full maturity, the project will mean millions in tax revenue and 1,000 jobs to replace the loss of Aetna in 2011. Liberty Bank just purchased as its new corporate headquarters a long-vacant office space on Long Hill Road. Several major real estate transactions have recently taken place, bolstering conveyance tax revenue, which will offset costs to residential taxpayers. A mixed-use residential and retail market rate development is under construction downtown. The private sector clearly considers Middletown a safe and predictable environment in which to do business.

Developers are making investments in and receiving approvals to build at the riverfront. We are re-building our roads, our sewers, upgrading our parks, preserving open space, protecting services for victims of domestic violence, the homeless, and veterans. Violent crime is down 18% since 2014.

We have closed each of the last several budget years with operating surpluses while limiting the growth of tax rates or, as was the case last year, cutting the tax rate outright.

These efforts were recognized last week by the nation’s premier rating agency, Standard & Poors, with a AAA bond rating. This puts Middletown into an elite category with communities like Greenwich, Darien, West Hartford, and Avon. This is a particularly notable achievement as our per capita income is lower than those towns, thus getting to AAA was harder for Middletown. But we did it as a community.

This was the second increase in our bond rating in as many years and we are now at the highest possible level a community can achieve. Additionally, we recorded in 2014 what was then our lowest-ever interest rate – 1.67% - on general obligation bonds.

We broke that record on March 30th with a 1.47% interest rate. This was remarkable because interest rates are higher in 2016 than they were in 2014.

Taken together, these facts signify a trend in which the City of Middletown has come together with a broad coalition of bi-partisan cooperation and with partnerships between the public, private, and non-profit sectors to consistently produce results that show it to be on the upswing and to be implementing policy and infrastructure decisions to the benefit of the people writ large.

This was clear from statements in S&P's ratings report that said: "We consider Middletown's economy very strong"; the city has "pursued new strategies to attract economic development" while stating that our budgetary performance and flexibility are "very strong."

This is because we have taken a conservative approach to budgeting. When I say "conservative," I don't mean it in an ideological sense. Rather, I mean that we have prepared ourselves to handle the worst while working to create the best. This philosophy is one that is shared and bi-partisan and it is part of why our community as a whole has been responsible for this incredible success.

It's within this context and with the goal of continuing this success that I submit my 2016-17 fiscal year budget proposal. In crafting this document I have consulted with people in the community, listened to ideas from our employees, heard from the private sector and have solicited the opinions of both the Democratic and Republican caucuses of the City Council.

This budget is as much their proposal as it is mine. We all recognize the importance of having been designated as a AAA city and we are all committed to keeping that rating. Doing so will require a fiscal discipline and the re-thinking of how to handle our structural challenges.

Our AAA rating means we are very healthy but it doesn't mean that we have unlimited money this year or next. It doesn't mean that everything in the wider economy is perfect, but rather, that we have done an excellent job of preparing our community to absorb the shocks that come with a changing state budget and the improving but still challenging state and national economies.

It is important to establish clearly from the outset that we face several challenges with which we must contend as a result of the state budget. Middletown is always significantly affected by the state budget – not only because of the state aid we receive – but also because of the high concentration of state and federal facilities here and a large non-profit sector that exists here for proximity to those state agencies.

Our state aid fluctuates with each year depending on a variety of factors. Aid to municipalities is going down across the board this year and Middletown's situation is no different. What makes us and a handful of other urban communities different is the high concentration of un-taxable organizations operating here.

Middletown is host to a tremendous number of organizations that are exempt from paying local property taxes: Middlesex Hospital, Wesleyan University, a U.S. Army base, innumerable social service agencies. But additionally, we are the home to several major state facilities: Connecticut Valley Hospital, the Middlesex Superior Court, Middlesex Community College, State Police Headquarters, the Department of Social Services, the State Department of Education, Vinal Technical High School, and a number of other

facilities.

Each of them requires public services as do our residents and businesses. For example, they drive on roads that local taxpayers build and maintain, they are treated by local firefighters and EMTs when they call 911 and are protected by the Middletown Police Department. Middletown residents pay local property taxes to fund all of those things.

We receive payments in lieu of taxes because, by law, we can't tax these properties. The purpose of these PILOT payments as they're known is to make our local taxpayers whole for the large amount of money you pay to subsidize the State of Connecticut's operations in Middletown. Historically the state has never fully funded PILOT payments, which means that local taxpayers have been paying for state services twice: once through income and sales taxes and then again through local property taxes.

I don't outline these realities as a matter of complaint, but rather, as an explanation. This is the reality with which we live. And in a system in which our only legally-authorized mechanism for raising funds is the regressive taxation of personal property, motor vehicles, and real estate, the realities of a difficult economy become rapidly clear.

More critical, though, than this regressive structure is a new requirement set to go into effect next year that we cannot exceed 2.5% growth in spending from the previous year or we will risk losing municipal aid. This is a new requirement of state law and forces us to make difficult decisions to avoid damage. This means we will be restricted in how we fund the services that are so important to our community and makes it all the more important that we make structural changes now so that we can ensure that we continue to balance the services we provide to the public and so that we can maintain the strong position we're in as a result of our AAA bond rating.

This is true in the non-profit, sports leagues, and arts worlds. Many of those organizations no longer receive funding from the state and now rely, in some instances, entirely on city grants to support them and to support the staff who earn their livelihoods operating them. There is no guarantee that these funds will be available or that we'll be able to provide them when we're contending with an imposed 2.5% spending cap. Therefore, with this budget I have attached a proposed ordinance requiring any organization receiving city grants to match dollar-for-dollar every grant it receives. These organizations provide important services to our community but they can't and shouldn't rely solely on taxpayer subsidies to operate. Each of them needs to examine their fee structures and establish fund raising programs if they are to survive.

I saw an article recently that said Connecticut has a 20th Century budget system to deal with a 21st Century economy. That statement contains a great deal of truth. Many of the systems under which we now operate were designed for and worked in a bygone era but don't serve our needs today. They create costs and make governing more difficult.

The biggest example is an antiquated state law that penalizes municipalities from reducing the amount of money we grant to boards of education. For example, if the city

reduces the Board budget by \$500,000 the state will penalize us twice the difference, resulting in a \$1,500,000 reduction. This creates a financially and politically unpalatable situation. It means, despite calls each year not to “cut,” that the school budget can *never* be cut.

Though we never want to reduce school funds, what this means in practice is that school administrators know that they will always have *at least* as much money as they had the year before.

This law also excludes the city from spending decisions at the board level. All the while the public often mistakenly believes that the Council and I have the ability to make decisions regarding school spending.

The result is a cultural sensibility that the schools budget is sacrosanct. Each year we begin discussions about it from the standpoint that the previous year is our appropriate baseline without ever considering the efficacy of that premise. Several members of the council and I have disputed a choice by the board to outsource some functions. It is our belief that doing so drives profit margins into the budget in which those funds could otherwise be going to children’s needs.

It’s also important to note that enrollment in the district is and has been declining steadily for years; this fact necessitates a re-examination of the school budget structure because the district’s needs are different today than in the past. Like the city, the board’s hands are tied by several state requirements that impose significant cost. Our school system does an excellent job educating our students and in an ideal world we wouldn’t have to consider the implications of reduced funding from and spending caps imposed by the State of Connecticut.

But we do.

On the eve of a 2.5% spending cap, I don’t believe that last year’s budget is the appropriate baseline for us to be working from. If we don’t control some of those costs now they will hurt us more next year and our success to date could be in jeopardy. That will only hurt students in the long run.

The Board has done tremendous work in advancing our school district. But like the rest of us, they’ll need to make some difficult decisions about priorities and the structure of their budget. They need to examine what they need versus what they want.

This is not simply a philosophical imperative on my part or the council’s. This is a legal imperative with which we’ll have to contend given the state’s requirement that we increase spending by no more than 2.5% next year.

Councilman Gerry Daley recently said that Middletown’s success reflected responsible spending rather than simple restrained spending. Wise investment and a prudent use of

public resources are critically important to the success of our collective enterprise and reflect how we arrived at the point at which we find ourselves today.

We have achieved that success precisely because we have a history of investing strongly in public education, roads, public safety, economic development, and as Councilman Seb Giuliano recently said, by taking the long view.

The budget I have proposed here takes into consideration those principles and is designed to further our success by preparing us to continue to tame the rugged environments we encounter. Middletown is in a unique position in its history as a financial leader, a center of commerce, and the home to an economy that is defying all conventions. We can continue to build on and ensure our success tomorrow by making difficult but important decisions now. The next generation depends on it so that we may leave them a better city than that which we found.

Thank you.

ORDINANCE NO.

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That Chapter 44, "Financial Procedures," Section 11, "Federal, state or other grants," of the Middletown Code of Ordinances be and hereby is amended as follows:

CHAPTER 44. FINANCIAL PROCEDURES

§ 44-11 Federal, state or other grants.

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for a specific purpose, confirmation and approval of the grant shall be given at the next regular meeting of the Common Council. The action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required, and said funds may then be expended for the purpose for which the grant was approved.

Municipal Grant Awards - All grants requiring the expenditure of any City funds must have a 1:1 matching requirement so that every dollar expended by the City is matched by a dollar expended by a non-City source. No City funds may be used in meeting this dollar-for-dollar matching requirement, nor may any in-kind services be used as equivalents to meet the matching requirement. Every dollar expended by the City must be matched by an actual dollar expended by a non-City source.

Submitted by:

Approved by:

Status:

**By Common Council, City of Middletown
at its meeting held on:**

ORDINANCE NO.

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:
That Chapter 47, Section 38 of the Middletown Code of Ordinances be and hereby is amended as set forth below:

Article XVI: Parking Fund

[Adopted 4-6-2009 by Ord. No. 10-09]

Chapter 47: FUNDS

Article XVI: Parking Fund

§ 47-38: Establishment; purpose; deposits and expenditures.

There shall be a fund known as the "Parking Fund." The Parking Fund shall be used for expenses related to parking, such as signage, equipment purchase, collections, paving, general maintenance, and capital improvements. The Common Council may, in its discretion, provide for additions to the fund from any sources which it determines are best used for parking purposes. Expenditures from such fund shall be made by the Director of Finance upon review by the Parking Advisory Committee and the approval of the Common Council.

~~As of July 1, 2016, All parking revenues, for a given fiscal year, shall be deposited into the General Fund. Each year parking revenue in excess of the parking revenue collected during the 2008-2009 fiscal year, minus any annual increase in the Parking Department operating budget, shall be transferred into the Parking Fund.~~

~~Thereafter, the Parking Fund shall exist until such time as all the funds have been exhausted at which time the Parking Department will seek funding for capital expenditures through the City's Capital Non-Recurring Funds. Once exhausted, the Parking Fund shall cease to exist.~~

Submitted by:

Approved by:

Status:

**by Common Council, City of Middletown
at its meeting held on:**

ORDINANCE NO.

DRAFT

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:
That Chapter 285 of the Middletown Code of Ordinances is hereby amended as follows:

Chapter 285. Vehicles and Traffic

Article II. Traffic Regulations

§ 285-8. Definitions. [Added 4-6-1987; amended 6-6-1988; 10-5-1998]

As used in this article, the following terms shall have the meanings indicated:

CROSSWALK -- That portion of the highway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a highway distinctly indicated, by lines or other markings on the surface, as crossing for pedestrians, except such prolonged or connecting lines from an alley across a street.

HIGHWAY -- Includes any public highway, road, street, avenue, alley, driveway, waterway, parkway or place, under the control of the City of Middletown, dedicated, appropriated or opened to public travel or other use.

PARKING -- The standing of a vehicle, whether occupied or not, on a highway, except it shall not include the temporary standing of a vehicle for the purpose of and while engaged in receiving or discharging passengers or loading or unloading merchandise or while in obedience to traffic regulations or traffic signs or signals.

PERSON -- Includes any individual, corporation, association, copartnership, company, firm or other aggregation of individuals.

TRAFFIC -- Pedestrians, vehicles and other conveyances while using any highway for the purpose of travel.

TRAFFIC AUTHORITY -- The Chief of Police of the City of Middletown.

§ 285-9. Obstructing driveway or alley. [Added 4-6-1987]

No person shall park any vehicle in front of, or so as to obstruct or interfere with, the ingress to or egress from any private driveway or alley, except with the permission of the owner of such driveway or alley.

§ 285-10. U-turns/left turns into parking stalls. [Added 4-6-1987; amended 10-2-2006 by Ord. No. 24-06]

No person shall make a U-turn or turn left across the center line to enter a parking stall on Main Street between Pleasant Street and Washington Street.

§ 285-11. No thru-truck highways. [Added 4-6-1987]

The Traffic Authority, in his/her discretion, may establish no thru-truck highways in conformance with the regulations established by the State Traffic Commission.

§ 285-12. Tow zones. [Added 4-6-1987]

The Traffic Authority, in his/her discretion, may establish tow zones upon the highways in conformance with the regulations established by the State Traffic Commission.

§ 285-13. Speed limits. [Added 4-6-1987]

A. Speed limits established for highways. No person shall operate a motor vehicle upon any highway at a speed greater than 25 miles per hour, except where otherwise posted.

B. Speed limits established for school zones. No person shall operate a motor vehicle upon any highway within a distance of 500 feet of any school at a speed greater than 15 miles per hour.

§ 285-14. General parking restrictions. [Added 6-6-1988]

A. No person shall park any vehicle in any place where signs are erected designating a no-parking zone or where the adjacent curb is marked or painted yellow. ~~Signs need not be less than 50 feet apart to designate a no-parking zone. Any no parking signage may designate no-parking areas for 50 feet in either direction from the base of the sign.~~ The Traffic Authority or his or her duly authorized designee shall have the authority to limit or restrict the parking of vehicles on highways and in parking lots. The Chief of Police or his or her duly authorized designee or the Director of Parking or his or her designee shall have the power to limit or restrict parking in City parking lots. [Amended 10-5-1998]

B. Manner of parking.

(1) No vehicle shall be permitted to remain stationary upon the traveled portion of any highway other than Main Street except upon the right-hand side of such highway in the direction in which such vehicle is headed, and, if such highway is curbed, such vehicle shall be so placed that its right-hand wheels, when stationary, shall, when safety shall permit, be within a distance of 12 inches from the curb.

(2) No vehicle shall be parked on any traveled portion of a highway or in a parking lot so that the vehicle is positioned in a perpendicular manner behind vehicles parked in legal parking spaces (double parked). No vehicle shall be parked on any traveled portion of a highway parallel to vehicles which are parallel parked (parallel double parking).

C. Parking near fire hydrants, stop signs, and intersections prohibited. No person shall park any vehicle within 10 feet of any fire hydrant or within 25 feet of a stop sign or 25 feet from an intersection.

D. Parking vehicles on public sidewalk or sidewalk area. No person shall park or cause to be parked a motor vehicle on any public sidewalk and/or sidewalk area.

E. Restricted parking; permit required. No person shall park any vehicle in any parking space on a highway or in a parking lot space that is designated by signs or other means that the parking space or parking lot space is reserved, marked "No Parking" or marked "Permit is Required."

~~§ 285-15. All night parking during winter months. [Added 6-7-1982; amended 11-3-2003]~~

~~No person shall park a vehicle on any street during snowstorms or snowplowing operations between the hours of 11:00 p.m. and 7:00 a.m.~~

§ 285-16. Parking between curb and sidewalk. [Added 2-8-1978]

There shall be no parking of motor vehicles between the curblineline and the sidewalk at any time except during the period from December 1 through March 31 of each year.

§ 285-17. Parking lots and meters. [Added 6-6-1988; amended 10-5-1998; 10-6-2003; 11-1-2004 by Ord. No. 13-04; 5-7-2007 by Ord. No. 06-07; 6-4-2007 by Ord. No. 11-07; 12-6-2010 by Ord. No. 85-10; 12-5-2011 by Ord. No. 23-11; 12-1-2014 by Ord. No. 17-14; 7-6-2015 by Ord. No. 14-15]

A. Hours meters to be in operation; Street/curb meters or kiosks. Street/Curb or kiosks parking meters shall be in operation for street/curb parking spaces every day, except Sundays and legal holidays, from 10:00 a.m. to 6:00 p.m. prevailing time. The Director of Parking, with the consent and approval of the Common Council, may amend the hours of operation of parking street/curb meters or kiosks to facilitate the most reasonable prudent and effective meter or kiosk implementations. Upon amendment of any hours of operation, corresponding signage including, but not limited to, individual meter or kiosk stickers on the impacted meters, denoting any change in parking street/curb meter enforcement times shall be posted, which informs the public of the change. Enforcement of any change to the parking street/curb meter hours of operation may not occur until 30 calendar days have passed after the effective date of the change or until 30 calendar days have passed after any new implementation occurs so as to provide the public an educational adjustment period to such a change or new implementation.

Meter or Kiosk Payments. Coin, Cash, Credit or Debit card shall be deposited or entered in street/curb meters and/or kiosks or by mobile payment technology when a vehicle is parked in a municipal space. When, any vehicle shall be parked in any parking space alongside, adjacent to or within proximity to a parking meter or kiosk, the operator of such vehicle shall deposit or cause to be deposited in the meter or kiosk the proper coin, cash, credit or debit card entry or utilize the appropriate mobile payment technologies as is designated by proper direction on the street/curb meter or kiosk.

B. Parking lots; hours parking in lots prohibited. Where existing, parking lot meters shall be in operation for parking lot spaces every day except Sundays and legal holidays. The Director of Parking, in his/her discretion, may amend the hours of operation of the parking lots. Upon amendment of the hours of operation, corresponding signage changes which inform the public of the change must be implemented. The parking lots are hereby designated as follows:

- (1) Lot A is located at the corner of Washington Street and Broad Street.

- (2) Lot B (a.k.a Main Street and Liberty Street Lot) is located on Main Street at the corner with Liberty Street.
- ~~(3) Grand Street Annex Lot is located at the corner of Main Street and Grand Street.~~
- ~~(4)(3)~~ Broad Street Russell Library Lot is located directly across from the Russell Library.
- ~~(5)(4)~~ Government Square Municipal Garage (a.k.a. Court Street, Arcade or Riverview Lot.
- ~~(6)(5)~~ Kings Avenue Lot, off Kings Avenue and Main Street.
- ~~(7)(6)~~ Melilli Plaza Lot is located between Washington Street and (Lower) Court Street.
- ~~(8)(7)~~ Green Street Lots A&B, off Green Street.
- ~~(9)(8)~~ Harbor Park and River Road Lots.

~~C. Coin to be deposited in meter when vehicle parked in space. When any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall deposit or cause to be deposited in the meter such proper coin as is designated by proper direction on the meter and set the parking meter in operation. Meter or Kiosk Payments. Coin, Cash, Credit or Debit card shall be deposited or entered in meters and/or kiosks or by mobile payment technology when a vehicle is parked in a municipal parking lot space. When, any vehicle shall be parked in any parking space alongside, adjacent to or within proximity to a parking meter or kiosk within a lot, the operator of such vehicle shall deposit or cause to be deposited in the meter or kiosk the proper coin, cash, credit or debit card entry or utilize the appropriate mobile payment technologies as is designated by proper direction on the meter or kiosk.~~

D. Registration prima facie evidence of name of violator. In any prosecution or proceedings hereunder, the registration plate or license plate displayed on a motor vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.

E. Violations; overtime parking.

(1) No owner or operator shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, whether on a highway or in a parking lot, as is allowed by a meter, kiosk or sign.

(2) Whenever a vehicle remains in a parking space for a period of one hour after being cited for a violation of this Code of Ordinances, it may also be cited additionally each one-hour period for overtime parking and the violator shall be subject to fines and penalties as provided for in this Code of Ordinances.

F. Deposit of additional ~~coins~~payment. No person ~~shall~~may deposit in any parking street or curb meter or any coin, cash, credit or debit payment for the purpose of parking beyond the maximum legal parking time for the particular parking meter or kiosk coverage location or area or zone.

G. Improper parking. No person shall park any vehicle, whether on a highway or in a parking lot, across any line designating a parking meter space or nonmetered space. The vehicle shall be in such position that it is entirely within a space designated by such lines or markings. Vehicles parked on Main Street shall be positioned within the lines so that the right front wheel shall be within a distance of not more than 12 inches from the curb. In addition, no vehicle shall be parked so that the vehicle is backed into the stall, whether on a street with diagonal parking stalls or in a parking lot. No person shall park any vehicle in front of, or so as to obstruct or interfere with the ingress to or egress

from, any private driveway or alley, except with the permission of the owner of such driveway or alley.

H. Tampering, etc., with meters [or kiosks](#) and/or signs. No person shall deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter [or kiosk](#) and/or sign.

I. Depositing slugs [or substitutes](#). No person shall deposit or cause to be deposited in any parking meter [or kiosk](#) any slug, device or metal substance or other substitute for lawful coins.

J. Enforcement; report required. It shall be the duty of the Police Department [and Parking Department](#) and its officers, [personnel](#) and any other legally appointed person to enforce this section for the parking of a vehicle, using the [technologies and](#) facilities of the Parking Department. It shall be the duty of enforcing officers to issue a ticket with the following information to report the following:

- (1) The number of the parking meter which indicates that the vehicle occupying the parking space is or has been parking in violation of any of the provisions of this section.
- (2) The state license and registration number of such vehicle.
- (3) The date and time such vehicle is parked in violation of this section.
- (4) Any other facts concerning such violation.

K. Notice to be attached to vehicle parked in violation; contents of [violation ticket/notice](#). The enforcing officer as provided in Subsection J shall attach to such vehicle a [violation ticket/notice](#) containing the information required by Subsection J, addressed to the owner or operator thereof, that such vehicle has been parked in violation of parking rules and regulations and shall instruct such owner or operator that payment of such sum or sums as prescribed on such [violation ticket/notice](#) shall be made either by mail, ~~or~~ in person [or by utilizing other available technologies within 14 days](#) to the Parking Department or to such person and place as may be designated on such [violation ticket/notice](#). Any disputes [or appeals](#) with respect to said [violation ticket/notice](#) must be made to the Parking Department within five ~~(5)~~ [calendar](#) days of the date on the [violation ticket/notice](#).

L. Rates.

- (1) Street side parking meters: \$1 per hour; \$0.20 for 12 minutes; \$0.10 for six minutes; maximum of three hours per day.
- (2) Metered lots.
 - (a) All individual space/stall meters or self-service multi-space meters within any publically utilized, administered or municipally owned lot:
 - [1] Lot A (Washington and Broad Street): \$1.00 per hour, maximum of 10 hours per day.
 - [2] Government Square Municipal Garage (a.k.a. Court Street, Arcade or Riverview Lot): \$1.00 per hour.
 - [3] Melilli Plaza Lot (Melilli Plaza Drive): \$1.00 per hour.
 - [4] Lot B (a.k.a. Main and Liberty Street Lot): \$1.00 per hour, maximum of three hours per day.
 - ~~[5]~~ [Grand Street Annex Lot \(Main and Grand Street\): \\$1.00 per hour, maximum of three hours per day.](#)
 - ~~[6]~~⁵ Broad Street Russell Library Lot: \$1.00 per hour, maximum of three hours per day.

- ~~716~~ Kings Avenue Lot (Kings Ave): \$1.00 per hour, maximum 10 hours per day.
- ~~817~~ Green Street Lot (A and B): \$1.00 per hour, maximum of three hours per day.
- ~~918~~ Harbor Park and River Road Lots: \$1.00 per hour, maximum of three hours per day.

(b) Publically utilized, administered or municipally owned lots:

- [1] Should offer a grace period after the purchase of metered time for all stalls/spaces within a municipal lot to support and encourage commerce and utility by patrons. The feasibility and length of any such grace period will be determined by the City Parking Department.

(c) Patrons of publically utilized, administered or municipally owned lots, who either park beyond their purchased time will receive a parking violation/citation for overtime parking through the enforcement of the Parking Department.

(d) All other City or state time, place and manner restrictions of parking and any associated fees and penalties apply and are enforceable within all publically utilized, administered or municipally owned lots.

(3) Permit parking programs.

(a) Commerce parking permits. City commerce parking permits may be sold for usage in any municipal lot or municipal garage to support commerce and utility as deemed necessary and feasible by the Director of Parking or his or her designee. Permits may be purchased monthly, quarterly or annually.

- [1] Purchase of commerce program parking permits will be \$75 per month, \$225 quarterly or \$900 annually, per permit.
- [2] Commerce permit issuance is not to exceed 15% of a specific lot's capacity so as to preserve municipal lot or municipal garage availability for the general public.
- [3] Commerce program parking permits must be clearly displayed within the vehicle for each appropriate, assigned or limited parking area. Permits issued will be for a specific lot only and cannot be used for another lot. The Parking Department's office will issue quarterly, annual, or monthly permits and collect the applicable fee for the above-listed lots.
- [4] The City through the Parking Department reserves the right to revoke any issued permit for abuse, fraud or violation of applicable Connecticut State Statutes or any City parking ordinances or regulations

(b) Overnight visitor parking permits. Overnight visitor parking will be permitted in locations and lots as determined by the Director of Parking or his or her designee or unless otherwise prohibited by posting. All overnight visitor parking must be by preissued permit only by the Parking Department. Permits are not transferable between registered vehicles.

- [1] Visitor overnight parking permits can be issued for no more than seven consecutive calendar days.

- [2] Overnight visitor permits are valid for 8:00 p.m. to 8:00 a.m. Overnight visitor parking permits will be sold through the City's Parking Department for \$10 per registered vehicle per evening.
 - [3] The City through the Parking Department reserves the right to revoke any issued permit for abuse, fraud or violation of applicable Connecticut State Statutes or any City parking ordinances or regulations.
- (c) Downtown residential parking permit program. Downtown Middletown residents may obtain downtown resident parking permits from the Director of Parking or his or her designee.
- [1] Quarterly permits will be sold for \$150 per permit or annually for \$600 with one-time advance annual payment.
 - [2] Downtown resident parking permits may be sold for usage in specific municipal lots or municipal garages to support downtown residential parking needs and utility as deemed necessary and feasible by the Director of Parking or his or her designee.
 - [3] Downtown resident parking permits must be clearly displayed within the vehicle for each appropriate, assigned or limited parking area. Permits issued will be for a specific lot only and cannot be used for another lot.
 - [4] Downtown resident parking permit issuance is not to exceed 15% of a specific municipal lot's capacity so as to preserve municipal lot or municipal garage availability for the general public. If the 15% cap is to be exceeded, such determination must be made by the Director of Parking and must be reported to the Parking Advisory Committee and must obtain approval from the Mayor and by approved resolution from the Common Council.
 - [5] To be eligible for this program an individual must be a "downtown resident" as defined as an individual living within the downtown parking district.
 - [6] In order to obtain a permit, the individual must present his/her valid driver's license and valid vehicle registration.
 - [7] The City through the Parking Department reserves the right to revoke any issued permit for abuse, fraud or violation of applicable Connecticut State Statutes or any City parking ordinances or regulations.
- (d) Prohibition on permits for commercial vehicles. Vehicles used for commercial purposes, or any vehicle which is larger than 21 feet in length, seven feet in width, and seven feet in height and which have more than two single-tired wheels on the front axle and more than two single-tired or double-tired wheels on the rear axle, are not eligible for parking permits. Motor trucks, luxury limousines, motor buses, motor delivery wagons, trailers, semitrailers, camping trailers, motor homes, mobile homes and tractors are not eligible for parking permits.
- (4) Exemptions to rates.
- (a) Rates shall not apply during times of emergency parking bans, winter snow bans, special events as designated by the City or as deemed administratively necessary by the Parking Department.
 - (b) Other parking contracts for permit parking as negotiated by the City may override specific lot permit fees.

- (5) Special event or flat rates. The Director of Parking or his or her designee, upon written approval from the Mayor, may set flat fees for special event parking, designated lot location parking or special evening flat fees on an as-needed basis. Any such flat fee determination for a specific event, location or duration of time is not to exceed \$20 without the approval of the City.

M. Workforce parking program. Program provides for discounted parking permits for employees of the downtown area for pre-qualified employees earning less than \$31,000/year (adjusted income) as verified upon presentation of payroll documentation from an individual's place of employment to the Parking Department, \$2.50 per shift (up to eight hours). Discounted permit fee will be \$50 per month for qualifying employees per day at designated off-street parking locations.

§ 285-18. Penalties to be set by ordinance. [Added 6-6-1988]

Any person who shall violate any of the provisions herein, and any person who aids, abets, or assists therein, shall be subject to the penalties as set by ordinance or ordinances of the Common Council.

§ 285-19. Corner vision obstructions. [Added 6-6-1988]

No hedge, shrubbery, fence, or any other obstacles other than an existing building or a natural earth embankment shall be maintained or permitted at a height of more than 2 1/2 feet above the pavement grade on that portion of any lot commencing at the corner point of a street right-of-way line at a corner lot and running in either direction along the street lines for a distance of not less than 25 feet and within the triangle thus formed by both street lines and a line connecting the above-mentioned termini of both street lines.

§ 285-20. Stopping, standing or parking prohibited in certain places [and associated fines or penalties](#). [Added 6-6-1988; 5-7-2007 by Ord. No. 07-07]

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer or traffic control device, in any of the following places:

A. The following shall be ~~fifteen thirty~~-dollar [\(\\$30.00\)](#) parking violations:

- (1) On a sidewalk.
- (2) Obstructing a public or private driveway.
- (3) Within an intersection.
- (4) Within 25 feet of a crosswalk at an intersection.
- (5) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a highway.
- (6) Between a safety zone and the adjacent curb or within 30 feet of points on a curb immediately opposite the ends of a safety zone, unless the Traffic Authority has indicated a different length by signs or markings.
- (7) Within 50 feet of the nearest rail of a railroad crossing unless otherwise signed by the Traffic Authority.
- (8) (Reserved)
- (9) Alongside or opposite any highway excavation or obstruction when stopping, standing or parking would obstruct traffic.
- (10) Upon any bridge.
- (11) More than 12 inches from the curb.

- (12) Within 25 feet of a highway corner or intersection.
- (13) (Reserved)
- (14) In a loading zone reserved for commercial use and/or City of Middletown Parking Authority without commercial or combination registration.
- (15) In a parking stall operated by the City of Middletown Parking Authority when parking in a manner so as to occupy more than one space.
- (16) Wrong way on highway against the flow of traffic.
- (17) (Reserved)
- (18) U-turn on Main Street between Pleasant and Washington Streets.
- (19) Backing into parking spaces, whether on a highway with diagonal parking stalls or in a parking lot.
- (20) On the highway side of any vehicle stopped or parked at the edge or curb of a highway (double parked).
- (21) At any place where official signs prohibit stopping or parking or where the curbing is painted yellow.
- (22) Left turn into parking stalls on Main Street between Pleasant and Washington Streets.

B. The following shall be ~~twenty-five fifty~~-dollar (\$50.00) parking violations:

- (1) Within 20 feet of the driveway entrance to any fire station and on the side of the street opposite the entrance of any fire station within 75 feet of such entrance (when properly sign-posted).
- (2) In monthly parking lots owned or operated by the City of Middletown without a valid permit or any area where it is posted restricted parking and/or permit required.
- (3) Parking in a designated fire lane (§ 285-7 of this chapter).
- (4) Within 10 feet of a fire hydrant.
- (5) ~~Parking in violation of the winter parking ban (§ 285-15 of this chapter and § 262-16).~~
- (6) ~~Parking in violation of an emergency parking ban.~~

C. The following shall be one-hundred-fifty-dollar (\$150.00) parking violations: [Amended 11-5-2007 by Ord. No. 34-07]

- (1) Parking in areas reserved for individuals with disabilities (§ 285-2 of this chapter).
[Parking in violation of an emergency parking ban](#)
[Parking in violation of a winter parking ban](#)

D. The following shall be ~~fifteen thirty~~-dollar (\$30.00) parking violations:

- (1) On a crosswalk.
- (2) In a marked bus stop.
- (3) (Reserved)
- (4) Parking in violation of the Sweeping Parking Ban (§ 262-44 of the Middletown Code of Ordinances).

E. The following shall be ~~tentwenty~~-dollar (\$20.00) parking violations:

- (1) Parking overtime in metered and non-metered spaces.

§ 285-21. Penalties for offenses. [Amended 10-6-2003; 5-7-2007 by Ord. No. 10-07]

A. Penalties for violations of this article are as follows:

- (1) A fine of ~~\$45~~ \$30.00 for a violation of any § 285-20A parking regulation.
- (2) A fine of ~~\$25~~ \$50.00 for a violation of any § 285-20B parking regulation.

- (3) A fine of ~~\$85~~ \$150.00 for a violation of any § 285-20C parking regulation.
- (4) A fine of ~~\$45~~ \$30.00 for a violation of any § 285-20D parking regulation.
- (5) A fine of ~~\$40~~ \$20.00 for a violation of any § 285-20E parking regulation.

B. The above-mentioned fines shall apply if payment is made to the Parking Authority Department within 4421 days of the date of the violation. ~~Payment is deemed to be made on the date it is postmarked or received in person by the Parking Authority. Payment is deemed to be made on the date it is postmarked if such payment is paid by regular mail. Payment is also deemed to have been made when such payment is made in-person at the Parking Department office or when received by telephone to the Parking Department or through other electronic payment methods like web portals or by mobile payment applications to Parking Department staff.~~

C.

All citations, with the exception of those citations issued for parking in a designed disabled space without a valid state permit, will have a 7 calendar day discount period from the date of issuance of the citation. Within the 7 day discount period, all violations, excluding the citation for parking in a disabled space without a permit, will be reduced by fifty percent (50%).

All violations will revert to and remain at their base penalty amount as outlined in Section 285-21 upon the 8th calendar day until the 21st calendar day after issuance.

C. If the penalties are not paid within 448 to 21 days of issuance of the citation, then on the 22nd day, said penalties shall double.

D. If the fines and penalties as herein set forth are not paid within 30 days, the City of Middletown may pursue further action as provided by the Connecticut General Statutes and the City of Middletown Code of Ordinances.

E. If the vehicle is removed or immobilized, the appropriate fine for the class of violation must be paid together with any other charges prior to the release of the vehicle.

F. A dispute as to the citation(s) must be made in writing to the Parking Authority Department within five days of the date of issuance. A claim of dispute shall be deemed to be made by the date it is postmarked or received in person or by other electronic technologies by the Parking Authority Department.

§ 285-22. Motor scooters, minibikes, pocket bikes. [Added 11-1-2004 by Ord. No. 14-04]

A. Scope. The provisions of this section shall apply to any person who operates a motor scooter, minibike, or pocket bike, as defined in this section, on any portion of any public street, including the sidewalk area of any such street, or on any other public property, including but not limited to schools, playgrounds, parks, and parking lots within the City of Middletown.

B. Definitions. Motor scooters, minibikes, and pocket bikes shall mean any wheeled vehicle device designed for the transport of one or more persons which is powered by any type of motor except:

- (1) Any "motorcycle" or "bicycle with a helper motor," as defined by state statute.
- (2) Any vehicle registered as a motor vehicle by the registrar of motor vehicles or lawfully exempt from such registration.
- (3) Any wheelchair by a person with physical disabilities, or any similar mobility-assisting device used by a person whose ambulatory mobility has been impaired by age, illness or physical ailment.
- (4) Any self-propelled snowplows, snowblowers and lawn mowers when used for the purposes for which they were designed and operated at speeds not exceeding four miles per hour.
- (5) Any moped or scooter which meets Federal Department of Transportation and State Department of Transportation guidelines for on-road transportation and whose owner's manual specifically indicates an ability to be driven on public roads.
- (6) Any vehicle owned or leased by the City of Middletown.
- (7) Any vehicle used by a municipal, state or federal employee in the performance of his official duties.

C. Penalty.

- (1) Any person who operates any motor scooter, minibike, or pocket bike as defined in this section on any portion of any public street, including the sidewalk area of any such street, or on any other public property, including but not limited to schools, playgrounds, parks, and parking lots within the City of Middletown shall be fined not more than \$90 for each offense.
- (2) Whenever a police officer observes any person in violation of this section, he or she may remove such vehicle to a secure area pending a disposition of such property by court order or otherwise by law.

Submitted by:

Approved by:

Status:
by Common Council, City of Middletown
at its meeting held on: