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*ant David Burch*  
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ANSONIA CONNECTICUT

## Board of Aldermen Ordinance Subcommittee

September 13, 2021 at 7 P.M.  
Via Zoom

<https://us06web.zoom.us/j/82567043042?pwd=U3gvTStEdmpBTElvZFJlUeGhvbytOUT09>

Meeting ID: 825 6704 3042

Passcode: 098775

One tap mobile

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1. Pledge
2. Roll call
3. Public Session
4. Discussion Items
  - a. Fine for Unregistered Motor Vehicles.
5. Possible action on discussion items to send to full board
6. Adjournment

### NOTICE TO THE PUBLIC

To ensure ADA Compliance please call (203)-736-5900 48 hours prior to the meeting.

## DRAFT ORDINANCE

### UNREGISTERED MOTOR VEHICLES

#### MOTOR VEHICLE REGISTRATION

Any person who violates Conn. Gen. Stat. § 14-12(a) shall be subject to a civil fine of two hundred fifty dollars. Such fine shall be suspended for any first-time violator who presents proof of registration for such motor vehicle subsequent to the violation but prior to the imposition of a fine.

**Authority.** Pursuant to Connecticut General Statutes § 7-148(c)(10), the City may enforce violations of the City of Ansonia Zoning Regulations and this Code of Ordinances by the issuance of a citation.

**Notice of violation.** Within twelve months from the expiration of the period for the uncontested payment of fines, penalties, costs or fees for citations issued under any provision of this Code or zoning regulations adopted pursuant to § 7-148 of the Connecticut General Statutes, the city shall send notice to the person cited. The notice shall inform the person cited: (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 days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that the judgment may issue without further notice.

**Admission of liability.** If the person or entity who is sent notice pursuant this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by the city. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in the subsection above shall be deemed to have admitted liability, and the designated municipal official shall certify the person or entity's failure to respond to the citation hearing officer.

**Right to hearing; notice; timing of hearing.** Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the citation hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance.

**Hearing Officer.** The Hearing Officer shall be appointed by the Mayor of the City of Ansonia and confirmed by the Ansonia Board of Aldermen.

**Hearing procedure.** An original or certified copy of the initial notice of violation issued by the issuing official or police officer shall be filed and retained by the municipality, and shall be deemed to be a business record and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The citation hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The citation hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The citation hearing officer shall announce his decision at the end of the hearing. If the citation hearing officer determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If the citation hearing officer determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as set forth in the schedule of fees, charges, penalties.

**Notice of assessment; filing in Superior Court; effect.** If such assessment is not paid on the date of its entry, the citation hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the Superior Court for the Judicial District of Ansonia-Milford together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provisions of the Connecticut General Statutes, the hearing officer's assessment, when entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

**Right to judicial review.** A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case, at the Superior Court for the Judicial District of Ansonia-Milford, which shall entitle such person to a hearing in accordance with the rules of the judges of the

Superior Court.