

As a municipal employee for the Town of Stafford I was assigned the task of updating the blight ordinance and creating a zoning violation ordinance. During my research, I discovered that subsection (b) of section. 7-152c of the general Statutes governing hearing officers for citations prohibits any municipal employee from being a hearing officer. This is in contrast to subsection (b) of Section 7-152b which does allow the First Selectman of a municipality to designate an employee to be a hearing officer for parking violations, provided they are not police officers, people issuing the fines, or work in the police department.

The problem municipalities are faced with under section 7-152c of the general statutes is they have to find a hearing officer who is not a municipal employee. The municipality must either find a volunteer or hire an outside consultant. A volunteer is not necessarily a viable option in many communities. The volunteer needs to have an understanding of the laws and legal proceedings. This person also needs to withstand the pressures they may face from their peers in a small community. Appointing a volunteer can be problematic.

If the municipality chooses to hire a consultant this is an increased expense that only adds to the already tight budgetary constraints all municipalities are experiencing. While the argument can be made that the revenue from the citations will cover the expense of the hearing officer this is not necessarily the case. From an enforcement standpoint these citations are a tool to encourage violators to comply with the regulation or ordinances, not be a revenue stream. In fact in many situations where a violator is less than cooperative and a fine is issued it can take the municipality years to collect the debt.

Adoption of this legislation would allow a municipality at their discretion to utilize one person for both a citation and parking violation hearing officer. I would urge you to consider this change and allow the municipalities the opportunity to efficiently administer the hearing processes within their communities without additional financial burdens.

Sincerely,

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