



City of New London

Office of the Mayor

181 State Street • New London, CT 06320 • Phone (860) 447-5201 • Fax (860) 447-7971

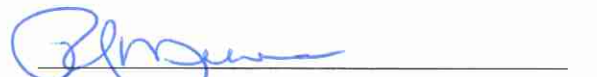
Pursuant to the authority granted to me by Section 26 of the Charter of the City of New London, I hereby APPROVE and ENACT the enrolled and attached ordinance number 06-18-18-1 entitled "AN ORDINANCE PROVIDING FOR THE LICENSING AND INSPECTION OF HOTELS, LODGING AND ROOMING HOUSES, CONVALESCENT HOMES AND SOBER HOMES"

Witness my hand and seal this 25th day of June 2018.




Michael E. Passero, Mayor

Attest:



Richelle Meneses, Executive Assistant

I certify that pursuant to section 26 of the City Charter, the enrolled Ordinance 06-18-18-1 was approved by the City Council by a vote of 7 to 0 on June 18, 2018. I further certify that pursuant to section 27 of the City Charter, the Ordinance was presented by me to the Mayor on June 21, 2018.


Jonathan Ayala
City Clerk

ORDINANCE NUMBER 06-18-18-1**AN ORDINANCE OF THE CITY OF NEW LONDON, CONNECTICUT, PROVIDING FOR THE LICENSING AND INSPECTION OF HOTELS, LODGING AND ROOMING HOUSES, CONVALESCENT HOMES, AND SOBER HOMES.**

WHEREAS, the City of New London (hereinafter "City"), under its general police powers, currently provides for a licensing and inspection process for properties and establishments that have lodging for multiple unrelated individuals, such as hotels, lodging and rooming houses, and convalescent homes; and

WHEREAS, the City is aware of several sober homes located within the City whereby unrelated persons recovering from substance use disorder or chemical dependency reside together in order to encourage, support, and sustain their recovery; and

WHEREAS, the conditions and facilities in sober homes within the City are inconsistent with each other; and the City, through emergency visits and calls to first responders, have witnessed sober homes which are unsafe and unsanitary from a building code, fire code, and health code perspective; and

WHEREAS, unsafe and unsanitary sober homes threaten the health, safety and welfare of the residents in recovery who live in said homes, in addition to threatening the health, safety and welfare of first responders who are called to the property; and

WHEREAS, unsafe and unsanitary sober homes threaten the health, safety and welfare of the surrounding properties within the neighborhoods where the sober homes exist; and

WHEREAS, General Statute §7-148 provides, inter alia, that the City may make rules relating to the maintenance of safe and sanitary housing, and regulate the mode of using any building when such regulations seem expedient for the purpose of promoting the safety, health, morals and general welfare of the inhabitants; and

WHEREAS, General Statute §7-148 provides, inter alia, that the City may regulate any business which is, or may be, so carried on as to become prejudicial to public health or dangerous to, or constituting an unreasonable annoyance to, those living or owning property in the vicinity; and

WHEREAS, whereas the City wishes to protect the public health, safety and welfare of all of its citizens and guests, including the residents of sober homes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NEW LONDON:

Section 1. That the Code of Ordinances of the City of New London be amended by revising Chapter 12 in its entirety to read as follows:

Chapter 12 - HOTELS, LODGING AND ROOMING HOUSES, CONVALESCENT HOMES, AND SOBER HOMES

Sec. 12-1. - Definitions.

Convalescent home shall mean a building used as a place for the lodging, care and treatment of five (5) or more persons suffering from abnormal physical conditions, requiring license by the State Department of Health as a "Chronic and Convalescent Home". This shall include places used for the lodging and long-term care of the infirm and those receiving chronic or convalescent care, but shall not include such places as are defined under the term "hospital" which are equipped for general medical or surgical treatment and are used for short-term care, the lodging and care of one's immediate family within his private dwelling or buildings used for the housing of insane persons or those confined in state prisons, jails or other public penal institutions.

Hotel shall mean a building or portion of a building used as a place where sleeping accommodations are furnished for hire or other consideration, with or without board, for twenty-five (25) or more guests or employees of the management, or in which thirteen (13) or more sleeping rooms are maintained for such guests or employees. The term "hotel" shall include all clubs or other buildings which have similar sleeping accommodations, but shall not include apartment houses, hospitals, penal institutions or buildings housing the insane. Members of the management's family shall not be considered as guests or employees.

Lodging house as used in this chapter is defined to mean any house patronized by roving, or transient, persons to whom beds or rooms are furnished, and as contain accommodations for not fewer than five (5) persons, or tourist camps wherein houses or cottages are rented by the day.

Rooming house as used in this chapter is defined to mean any building which is used in whole or in part as a place where sleeping accommodations are furnished for hire or other considerations, with or without board, for not more than twenty-four (24) guests, or employees of the management, or in which twelve (12) or less sleeping rooms are maintained for such guests or employees. The term shall include all tourists homes advertised as such, which have accommodations as aforesaid but shall not include private dwellings which accommodate not more than two (2) habitational guests or employees, or an apartment house, or hospital, as defined in the State Fire Safety Code. Members of the management's family shall not be considered as guests or employees.

Sober house as used in this chapter is defined to mean a dwelling unit occupied by more than five (5) unrelated persons, all of whom are in recovery from a substance use disorder or chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988. It provides a non-institutional residential environment in which the residents choose to live together and willingly subject themselves to written rules and conditions, including the prohibition of alcohol and drug

use (except for prescription medications obtained and used under medical supervision), intended to encourage, support, and sustain their recovery. The residents of a sober house are similar to a family unit, and share kitchen and bathroom facilities and all other common areas of the dwelling unit and property. Sober living homes do not provide on-site formal substance use disorder treatment services. The residents of a sober living home are considered tenants pursuant to Connecticut General Statute Section 47a-1 et seq.

Sec. 12-2. - Scope of license requirements.

No person, firm or corporation shall conduct, operate, or maintain a hotel, lodging or rooming house, or sober house in the City of New London unless licensed so to do under the provisions of this chapter.

Sec. 12-3. - Application for license.

Application for license to conduct, operate or maintain a hotel, lodging or rooming house, sober house or convalescent home shall be made to the building inspector of the city on forms furnished by him and in said application the applicant shall state his name, address, location of the hotel, rooming or lodging house, or convalescent home, he intends to conduct, operate or maintain, the number of sleeping accommodations contained in said hotel, lodging or rooming house or convalescent home, and such other pertinent information as the building inspector may require and at the time of filing said application shall pay to the treasurer of the City of New London a license fee in accordance with the schedule provided in this chapter, which fee shall be the license fee for one year, or part thereof, which fee shall be returned in the event the license is not granted.

Sec. 12-4. - Inspections of premises for fire, health, safety hazards.

Upon filing of such application and the payment of any applicable fee,

- (a) The fire marshal of the city shall forthwith examine said premises for the purpose of determining their suitability for such occupancy in respect to fire and safety laws and regulations of the state and city. He shall make a written report of his approval or disapproval of said application to the building inspector. In the event of disapproval, he shall set forth in said report the requirements of said fire regulations, or shall report that in his opinion said building cannot be repaired or altered to conform to such requirements;
- (b) The health officer of the city shall forthwith examine said premises for the purpose of determining their suitability for such occupancy in respect to the health and sanitation laws and regulations of the state and city. He shall make written report of his approval, or disapproval, of said application to the building inspector. In the event of disapproval, he shall set forth in said report the requirements of said health

and sanitation regulations, or shall report that in his opinion said building cannot be repaired or altered to conform to such requirements;

- (c) The building inspector shall forthwith examine said premises for the purpose of determining their suitability for such occupancy in respect to the building code and building regulations and laws of the state and city. He shall file in his office a written report of his approval or disapproval of said application. In the event of disapproval, he shall set forth in said report the requirements of said building code and regulations or shall report that in his opinion said building cannot be repaired or altered to conform to such requirements.

Sec. 12-5. - Issuance of license.

Copies of the reports of the fire marshal and health officer shall be transmitted to the building inspector, and if said reports of the fire marshal and health officer are all reports of approval and if the use of said premises as a hotel, lodging or rooming house, or sober house, complies with the zoning regulations of the city, the building inspector shall, if the applicant is a suitable person to carry on the business of operating a hotel, lodging or rooming house, or sober house, as hereinbefore defined, thereupon approve said application and shall issue a license to the applicant to operate and conduct said hotel, lodging or rooming house, or sober house for the number of occupants stated therein.

Sec. 12-6. - Duration, renewal of license.

Each license so issued shall terminate on the first day of June next succeeding the issuance of said license, unless sooner revoked. Renewal applications shall be filed with the building inspector on or before May first in each year.

Sec. 12-7. - Use of heating devices.

No heating device shall be used, or permitted to remain in any hotel, lodging or rooming house, or sober house, as defined in this chapter unless equipped and installed in accordance with the specifications and requirements contained in the building code of the City of New London, The National Board of Fire Underwriters, The National Fire Protection Association and The American Standards Association which specifications and requirements shall be applied to existing "heating devices" as well as to those hereafter installed.

Sec. 12-8. - Grounds, proceedings to revoke license.

- (a) At any time the building inspector shall determine that the licensee in conducting and maintaining said hotel, rooming house or lodging house, or sober house, is violating the fire, safety, health or building regulations, or other state or local laws, or regulations pertaining to the operation of said premises, or is violating the conditions of the license in respect to the limitation on the number of occupants of said premises, or otherwise, he shall give the licensee a ten (10) days' written notice

of such violation or violations by registered mail directing the licensee to appear before him to show cause why said license should not be revoked. Upon hearing and finding by the building inspector of the existence of such violation or violations, he may thereupon revoke said license and institute necessary proceedings to cause said premises to be vacated.

- (b) In the event said violation should appear to be, to the fire marshal, the health officer or the building inspector, of such a nature as to create a serious and immediate danger to the life, health or welfare of the occupants thereof, or any other person, the building inspector may forthwith temporarily revoke said license until a hearing may be held, and in the meantime he may cause such measures to be taken as he deems advisable to insure safety in respect to fire, health, building requirements or the general welfare of the public, within ten (10) days after any such temporary revocation, the building inspector shall hold a hearing upon the permanent revocation of said license.

Sec. 12-9. - License fees.

The license fee to be paid in accordance with the provisions of this chapter shall be as follows:

Lodging and rooming houses with not more than five (5) sleeping rooms \$60.00

Lodging and rooming houses with more than five (5) sleeping rooms \$95.00

Hotels with not more than fifteen (15) sleeping rooms \$125.00

Hotels with more than fifteen (15) sleeping rooms \$175.00

Convalescent homes \$175.00

Sec. 12-10. - Rules and regulations to implement chapter.

The building inspector is authorized and empowered to make such reasonable regulations as he deems advisable to carry out the purpose and spirit of this chapter.

Sec. 12-11. - Violations and penalties.

Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars (\$100.00). Each day during which a violation of any of the provisions of this chapter shall continue shall be deemed a separate offense.

Section 2.

A. Each day on which a violation occurs or continues after the time for correction of violation given in any order has elapsed shall be considered a separate violation of this ordinance.

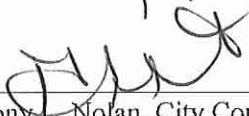
B. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

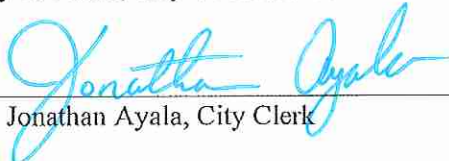
C. If any provision of this ordinance or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of any other part of this ordinance that can be given affect without the invalid provisions or applications; and to this end, the provisions of this ordinance and the various applications thereof are declared to be severable.

D. This ordinance shall become effective after its passage as set forth in Section 27 of the City of New London Charter.

Date Approved by City Council: June 18, 2018

Effective Date: July 19, 2018

Signed: 
Anthony L. Nolan, City Council President

Countersigned: 
Jonathan Ayala, City Clerk