

**Proposed Chapter 83
Code of the Town of Bethel, Connecticut**

HAZARDS TO PUBLIC ROADWAYS

§ 83.1. Purpose.

The purpose of this chapter is to protect the safety of the users of public roads located within the Town of Bethel, State of Connecticut.

§ 83-2. Definitions.

As used in this chapter, the following terms have the meanings as indicated:

PERSON

Any individual, owner, organization, trust, foundation, group, association, partnership, limited liability company, corporation, society, owner, tenant, occupant or any combination of one or more, whether principal or agent.

PUBLIC ROADWAY

Any road used and traveled on by vehicle or pedestrian that is open to the general public owned by, or maintained by, or dedicated to be owned by the Town of Bethel. The term public roadway includes a public right of way and any Town owned properties that are open to vehicular and pedestrian traffic.

DEBRIS

Any material consisting of rubble, rubbish, garbage, trash, waste including but not limited to other items which are not suitable or proper for disposal onto a public roadway which would create a hazardous condition and other items as hereinafter set forth.

§ 83-3. Hazards to public roadways.

No person shall place, move, keep, permit to be moved or suffer to be placed debris from any source, whether from adjoining private property or any other location onto any public roadway or public right-of-way, including, but not limited to snow, ice, leaves, grass clippings, yard waste, household waste, brush, tree branches or other debris.

§ 83-4. Enforcement.

If any person, after having been notified by writing, either by hand delivery, certified mailing and/or overnight mail by the Bethel Director of Public Works or his designee to remove the debris from the public roadway caused by said person, shall refuse or neglect to do so to the satisfaction of the Bethel Director of Public Works or his designee, within 15 days (including weekends and legal holidays) from the date of said notice, weather permitting, he will be in violation of Section § 83-3 and may be fined as hereinafter set forth in § 83-5 and/or may be subject to litigation in order to enforce the provisions of § 83-3.

§ 83-5. Penalties for offenses.

A. Each and every violation of the provisions of this chapter shall constitute a separate and distinct violation subject to a fine in an amount of \$100.00 payable to the Town of Bethel.

B. In the event that the person shall fail to comply with the written notification and successive written notices are required, each successive written notice which is not complied with within the time period as set forth in this chapter, shall constitute an additional violation, separate and distinct from the first violation and subject to an additional fine as hereinbefore set forth in Subsection A.

C. Nothing shall prevent the Town of Bethel from bringing an action in a court of original jurisdiction in the name of the First Selectman of the Town of Bethel on behalf of the Town of Bethel to enforce the regulations set forth in this chapter and/or to recover any and all fines as hereinbefore set forth, costs and attorney's fees, if available.

§ 83-6. Severability.

In the event that any one or more portions, sections and/or subsections of this chapter shall be determined to be invalid or unenforceable, it shall not affect the validity or enforceability of the remaining portions, sections and/or subsections.