

***Town of Middlebury***  
***Ordinance Concerning the Establishment of Fire Lanes***

Section 1. Pursuant to, without limitation, the provisions of Sections 7-194 and 7-154 of the Connecticut General Statutes, and in order to protect the Town from fire, it is hereby made the duty of the Fire marshal and his agents to inquire into and investigate the parking of motor vehicles of all kinds ("vehicles") in driveways, alleys, parking areas and other open spaces adjacent to or leading to dwellings occupied by two or more families and buildings open to the public, where the blocking of such driveways, alleys, parking areas and other open spaces by the parking of vehicles endangers the safety of persons occupying or using said dwellings and/or buildings so as to constitute a fire hazard, in the opinion of the Fire Marshal; to designate parking in said areas as a fire hazard, and to have said areas posted as a fire zone. This section shall not apply to driveways serving only one dwelling when such dwelling has lot frontage on a public street.

Section 2. A fire zone is a designated unobstructed passageway sufficient in size to permit free passage of fire and other emergency equipment from a public highway to all necessary areas or portions of any private or public property.

Section 3. The Fire Marshal shall establish a fire zone by written order specifying the limits thereof; shall file a copy of said order with the offices of the First Selectman, Town Clerk, and with the Board of Police Commissioners, and shall send a copy by certified mail, return receipt requested, to the owner(s), or agent(s) thereof, of any private land on which such fire zone is established. If any such certified mail copy is returned, a copy of such order shall be published at least once in a newspaper having general circulation within the Town and a copy of the order shall be posted in a conspicuous place on each dwelling or building affected thereby.

Section 4. Any private property owner aggrieved by the designation of a fire zone on his property may file with the Town Clerk, within 30 days after receipt of the Fire Marshal's order by mail or within 30 days of the last publication or posting of such order, whichever is later, written notice of appeal, setting forth therein reasons for aggrievement. The Board of Police Commissioners shall hold a hearing on such appeal within 60 days after it has been filed. Reasonable notice of the time, date and place of the hearing shall be given to the property owner and the Fire Marshal. At such hearing the Board shall consider the reasons of aggrievement, the reasons for the establishment of the fire zone and shall determine whether said order was reasonably necessary in order to protect the safety of persons occupying or using the dwellings and/or buildings involved. The Board may affirm, modify or rescind the order and shall notify the property owner and the Fire Marshal in writing of its decision within 15 days of the date of the hearing.

Section 5. Within 10 days of the establishment or modification of a fire zone, the Board of Police Commissioners shall cause to be erected or installed adequate signs, markings or other devices to delineate said fire zone and to warn that no parking is permitted therein. Said signs, markings or other devices shall be erected or installed at the expense of the owner of the property which is the

location of said fire zone. The design and location of said signs, markings or other devices shall be determined by the chief of the Middlebury Fire Department.

Section 6. No person shall park, or permit to stand, a vehicle in a fire zone, except when actually picking up or discharging passengers.

Section 7. Where reasonable practical, the Police Department shall notify the owner, operator, or other person in charge of a vehicle in violation of Section 6 to remove the vehicle immediately. If the vehicle is not removed within a reasonable time, members of the Police Department are authorized to remove or have removed by a commercial towing service any vehicle parked in violation of Section 6 to the nearest garage or place of safety, or to a garage designated or maintained by the Police Department within the Town of Middlebury. Such removal shall be at the risk and expense of the owner of the vehicle. Cars so removed shall be stored in a safe place and shall be restored to the owner or operator upon payment of a fee of Six (\$6.00) Dollars within twenty-four hours after the time the car was removed, plus Six (\$6.00) Dollars for each additional twenty-four hours or fraction thereof, plus reasonable costs of towing and storage.

Section 8. It is hereby provided, however, that the Police Department may, in lieu of towing said vehicle to a garage, serve upon the owner, operator or other person in charge of the vehicle, or attach to the vehicle, a notice directing the owner or operator or other person in charge thereof, to appear in person and pay Six (\$6.00) Dollars or to mail a check or money order for said sum to the Police Department, Town of Middlebury, within 48 hours subsequent to issuance of said notice, or to pay Twelve (\$12.00) Dollars in the above manner after the expiration of 72 hours. A receipt shall be issued for all money so received.

In accordance with General State Statutes Section 7-157, these ordinances shall become effective fifteen (15) days after publication of this Legal Notice.

Publication date: February 23, 1986

Effective date of ordinance: March 10, 1986

N. B. Due to errors of omission by the newspaper, the ordinance establishing fire lanes was republished thereby having the following publication and effective dates:

Publication date: March 1, 1986

Effective date of Fire Lane ordinance: March 16, 1986

Recorded in Vol. 7 Page 376.