

# *Enforcement Sector Rules*

- ▶ **Team Approach**
- ▶ **Enforcement**
- ▶ **Ticketing**

Town & LHD Call 12 9 2020  
*Enforcement Task Force*

# Local Team Approach

- ▶ Develop Local Task Force Team
- ▶ Include CEO/CAO/LHD/LPD/Muni Designee
- ▶ Plan enforcement strategy
  - ▶ Plan Enforcement Work together
  - ▶ Visit Sites Together
  - ▶ Plan secure visits
- ▶ Plan for Reimbursement for time spent

# Enforcement Tool-Box - Sector Rules

Local Team Approach with Town CEO/LHD/LPD/Muni Designee/Zoning ZEOs

- ▶ 1. **Respond to Complaints or on Inspection** - Find Sector Rule violations
- ▶ 2. **Educate** - possible corrective action plan
- ▶ 3. **Issue Warning** - in writing and documented, signed by Town employee, assure receipt, share explanation of Sector Rule, tiered approach - witnesses adhered to corrective action, bring team to review, everyone need to sign off prior to reopening
  - ▶ Situations different, corrective action, balance, options based on severity
- ▶ 4. **Issue Ticket for \$100/\$250/\$500** - Fines per EO 9B
  - ▶ Documentation important
- ▶ 5. **Consider closure** - if licensed facility - reopen temporary until full compliance
- ▶ 6. **Issue 10k Civil Penalty** - per EO 9N
  - ▶ egregious, major multiple Sector Rule violations
  - ▶ Repeated issues, repeated complaints
  - ▶ well documented Sector Rule violations
- ▶ 7. **Pursue Liquor License Suspension**
  - ▶ In writing to DCP
  - ▶ Timely
  - ▶ Video - source of video needed

Industry	Phase 2	Phase 3	Phase 2.1
<b>Restaurants</b>	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers  Max of 8 people/table
<b>Personal Services</b>	Up to 50% capacity indoors with 6 ft spacing and/or non-porous barriers	Up to 75% capacity indoors with 6 ft spacing and/or non-porous barriers	See Phase 3 rules
<b>Libraries</b>	Up to 50% capacity indoors	Up to 75% capacity indoors	See Phase 3 rules
<b>Outdoor Event Venues (e.g. Amphitheaters, Race Tracks)</b>	Up to 25% with social distancing and masks required	Up to 50% with social distancing and masks required	Up to 25% with social distancing and masks required
<b>Indoor Performing Arts Theaters</b>	Closed	Up to 50% capacity with 6 ft spacing between parties	Up to 50% capacity with 6 ft spacing between parties, capped at 100 people
<b>Indoor Recreation</b>	Up to 50% with social distancing and masks required	Up to 50% with social distancing and masks required	Up to 50% with social distancing and masks required, capped at 100 people
<b>Private, Social and Recreational Gathering Sizes – Commercial Venue</b>	Indoor – Cap of 25 people Outdoor – Cap of 100 people	Indoor – Up to 50% capacity, capped at 100 people Outdoor – Cap of 150 people	Indoor – Cap of 25 people Outdoor – Cap of 50 people
<b>Private, Social and Recreational Gathering Sizes – Private Residences</b>	Indoor - Cap of 25 people Outdoor – Cap of 100 people	Indoor - Cap of 25 people Outdoor – Cap of 150 people	Indoor – Cap of 10 people Outdoor – Cap of 10 people
<b>Religious Gatherings</b>	Indoor – Up to 25% capacity capped at 100 people Outdoor – Capped at 150 people	Indoor - Up to 50% capacity, capped at 200 with masks and social distancing required Outdoor - Up to 50% capacity or 6 ft spacing, no capacity limit with masks and social distancing required	Indoor – Up to 50% capacity, capped at 100 with masks and social distancing required Outdoor – See Phase 3 rules

[www.ct.gov/  
coronavirus](http://www.ct.gov/coronavirus)

# EXECUTIVE ORDER NO. 7PP— ENFORCEMENT OF SECTOR RULES

- Issued by Governor Ned Lamont on May 18, 2020
- Section 2 of Executive Order No. 7PP:
  - Modifies § 19-13-B1 of the Regulations of Connecticut State Agencies to include in the definition of public nuisance a violation of the Sector Rules.
  - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a local or district health director to order the closure of a Public Health Facility until such time as he or she determines that the Public Health Facility has abated the nuisance by coming into compliance with the Sector Rules. “Public Health Facility” is defined in the Executive Order to include hair salons, barbershops, beauty shops, nail salons, spas, tattoo or piercing establishments, restaurants, eating establishments, private clubs, or any locations licensed for on-premise consumption of alcohol, that are allowed to reopen pursuant to the Sector Rules.
  - Modifies *Conn. Gen. Stat.* § 19a-206 and § 19-13-B2(a) of the Regulations of Connecticut State Agencies to authorize a Municipal Designee to order the closure of any business other than a Public Health Facility in violation of the Sector Rules until such time as the Municipal Designee determines that such business has abated the nuisance by coming into compliance with the Sector Rules.

# EXECUTIVE ORDER NO. 9B— AUTHORITY TO ISSUE FINES

- Issued by Governor Ned Lamont on September 15, 2020.
- Section 2 of Executive Order No. 9B authorizes local health directors, district health directors, and their designees; municipal chief executive officers and their designees; and state and municipal police officers, among others, to issue fines for the following violations:
  - \$100 fine for failing to wear a mask or cloth face covering while in any public place or in any location where and for whom wearing a mask or face covering is required
  - \$100 for a business entity, rather than the employee, for any employee's failure to wear a required mask or cloth-face covering while at work
  - \$250 fine for any person who attends a gathering that violates the gathering size restrictions
  - \$500 fine for any person or business entity who organizes, hosts, or sponsors a gathering that violates the gathering size restrictions

# EXECUTIVE ORDER NO. 9N—AUTHORITY TO ISSUE CIVIL PENALTIES

- Issued by Governor Ned Lamont on November 24, 2020.
- Section 1 of Executive Order No. 9N:
  - ▶ Modifies *Conn. Gen. Stat.* § 19a-206 and Executive Order Nos. 7PP, Section 2, 7ZZ, Section 3, and 9B, Section 2.
  - ▶ Authorizes a local health director, district health director, or a municipal designee appointed under Executive Order No. 7PP to issue a civil penalty of \$10,000.00 per violation to an owner or a person having possession of, or exercising dominion and control over a nonresidential property (owner/person) who violates the size or capacity limitations set forth in the DECD Sector Rules and DECD Gatherings Capacity Limits or other rules issued by the Commissioner of DECD.
  - ▶ An owner/person subject to this civil penalty is not also subject to the \$500 infraction under Executive Order No. 7B, Section 2.
  - ▶ The enforcement authority granted to a local health director or district health director is not limited to a Public Health Facility as defined in Executive Order No. 7PP.
  - ▶ Owner/person subject to such civil penalty may appeal to DPH in accordance with *Conn. Gen. Stat.* § 19a-229 and DPH regulations.

# ISSUING AN INFRACTION

## BUSINESS EXAMPLE

<b>COMPLAINT TICKET</b>		P.D. CASE NO.	
The undersigned officer complains that:			
ON (Mo., Day, Year)	AT (Time)	IN (Offense Town)	TOWN CODE
10/16/2020	6:00 P M	Killingly	069
NAME (Last, First, Middle Initial)			
Smith, Cody, P.			
ADDRESS (No., Street and City)			
52 Main Street, Killingly, CT			
STATE	ZIP + 4	DATE OF BIRTH	RACE
06239		02/22/90	W
		HISP.	SEX
		<input type="checkbox"/> Y	M
<b>LICENSE AND MOTOR VEHICLE</b>			
DRIVER'S LICENSE NO.		<input type="checkbox"/> "X" IF BOATING CERTIFICATE NO.	
1 9 0 3 4 3 3 3 7		STATE	
CT			
REG. NO.	<input type="checkbox"/> "X" IF BOAT	STATE	MAKE/MODEL/STYLE
OWNED BY (Last, First, Middle Initial)		YEAR	
N/A			
ADDRESS (No., Street and City)		STATE	
ON (Street or Highway; If intersection, specify)			
Main Street, Killingly, CT (May Add Business Name)			
TRUCK (14-260n)	OVER 16% OVERWEIGHT (Overweight Violation)	SPEED (IF APPLICABLE)	ROAD TRAF.
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	ACTUAL SPEED	POSTED LIMIT
DOT #	18,000 LBS. OR MORE (Overweight Violation)		VIS. AREA
	<input type="checkbox"/> Y <input type="checkbox"/> N		
COMMERCIAL/HAZARD. MAT.		ANSWER DATE (Month, Day, Year)	
<input type="checkbox"/> CDL <input type="checkbox"/> CV <input type="checkbox"/> HM		10/30/2020	
did commit the following INFRACTION(S)/VIOLATION(S)			
1. EMPLOYEE VIOLATION OF FACE COVER REQUIREMENTS - BUSINESS	STAT /ORD. NO.	AMOUNT	
	EO-9B-2a(2)	\$100	
2.			
3.			
SIGNATURE (Officer)		AMOUNT DUE	
Tpr. Matt Kane		\$100 .00	
SHIELD NO.	POLICE DEPARTMENT		
433	Connecticut State Police		
PHOTO I.D.	SIGNATURE (Person receiving this complaint)		
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>		
CONNECTICUT SUPERIOR COURT		JD-CR-2 Rev. 8-08	

Find Town Code Here: <https://portal.ct.gov/-/media/DMV/CTDMVTaxTownCodeListpdf.pdf?1a=en>

Location of the Offense

Areas Crossed out are specific to Motor Vehicle Laws

Schedule answer date for second Friday after the date of the violation, even if such Friday is a Holiday

Designates if the violator's identity was confirmed by a photograph ID.

R024544



# ISSUING AN INFRACTION

## INDIVIDUAL EXAMPLE

<b>COMPLAINT TICKET</b>		P.D. CASE NO.	
The undersigned officer complains that:			
ON (Mo., Day, Year)	AT (Time)	IN (Offense Town)	TOWN CODE
10/16/2020	6:00 P M	Killingly	069
NAME (Last, First, Middle Initial)			
Smith, Cody, P.			
ADDRESS (No., Street and City)			
52 Main Street, Killingly, CT			
STATE	ZIP + 4	DATE OF BIRTH	RACE
06239		02/22/90	W
		HISP.	SEX
		<input type="checkbox"/> Y	M
<b>LICENSE AND MOTOR VEHICLE</b>			
DRIVER'S LICENSE NO.		<input type="checkbox"/> "X" IF BOATING CERTIFICATE NO.	
1 9 0 3 4 3 3 3 7		STATE	
CT			
REG. NO.	<input type="checkbox"/> "X" IF BOAT	STATE	MAKE/MODEL/STYLE
OWNED BY (Last, First, Middle Initial)		YEAR	
N/A			
ADDRESS (No., Street and City)		STATE	
ON (Street or Highway; If intersection, specify)			
Main Street, Killingly, CT			
TRUCK (14-260n)	OVER 16% OVERWEIGHT (Overweight Violation)	SPEED (IF APPLICABLE)	ROAD TRAF.
<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	ACTUAL SPEED	POSTED LIMIT
DOT #	18,000 LBS. OR MORE (Overweight Violation)	VIS.	AREA
	<input type="checkbox"/> Y <input type="checkbox"/> N		
COMMERCIAL/HAZARD. MAT.		ANSWER DATE (Month, Day, Year)	
<input type="checkbox"/> CDL <input type="checkbox"/> CV <input type="checkbox"/> HM		10/30/2020	
did commit the following INFRACTION(S)/VIOLATION(S)			
1. VIOLATION OF FACE COVER REQUIREMENTS	STAT /ORD. NO.	AMOUNT	
	EO-9B-2a(1)	\$100	
2. - PERSON			
3.			
SIGNATURE (Officer)		AMOUNT DUE	
Tpr. Matt Kane		\$100 .00	
SHIELD NO.	POLICE DEPARTMENT		
433	Connecticut State Police		
PHOTO I.D.	SIGNATURE (Person receiving this complaint)		
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/>		
CONNECTICUT SUPERIOR COURT		JD-CR-2 Rev. 8-08	

Find Town Code Here: <https://portal.ct.gov/-/media/DMV/CTDMVTaxTownCodeListpdf?1a=en>

Location of the Offense

Areas Crossed out are specific to Motor Vehicle Laws

Schedule answer date for second Friday after the date of the violation, even if such Friday is a Holiday

Designates if the violator's identity was confirmed by a photograph ID.

R024544

# ISSUING AN INFRACTION

## OFFICER'S REPORT TO PROSECUTING AUTHORITY

Note facts and circumstances in addition to those recorded on face of complaint:

1. Any specific action of violator which increased the hazard of the violation;
2. Where violation observed and where contact made;
3. Total distance traveled during pursuit;
4. Statements by violator and general attitude.

COMPANION CASES (Names of defendants)

On 10/16/2020 at approximately 6:00pm  
I was conducting an Inspection of

BUSINESS NAME. Upon Entry I saw  
BUSINESS EMPLOYEE NAME (Date of

Birth) failing to wear a face mask while  
working. I located manager / owner

BUSINESS OWNER NAME (Date of Birth).  
OWNER stated. "We don't wear masks

here". Owner confirmed being aware of  
current executive order 9B.

See report for further details.

WITNESSES (Names and addresses)

Health Inspector Jones

The Narrative of the Incident is the equivalent to a prosecutors report. It can be used in court for or against the charge.

A more in-depth narrative is useful if the case goes forward in court proceedings.

A list of corroborating witnesses

# HOW TO OBTAIN COMPLAINT TICKET BOOKS

- Local officials, other than local and district health departments, should send an email to: [traffictickets@jud.ct.gov](mailto:traffictickets@jud.ct.gov) to request complaint ticket books.
- Local and district health departments should send an email to: [DPH.LHD.E09B.violations@ct.gov](mailto:DPH.LHD.E09B.violations@ct.gov) to request complaint ticket books.

01

Issue  
Warning

02

Issue  
Ticket

03

Closure

04

Liquor  
License  
Summary  
Suspension

05

\$10,000  
penalty

**Enforcement Task Force**  
**DPH, LHD, DECD, DEMHS, DCP**