

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

Dennis J. Nolan,

Complainant

Report of Hearing Officer

Docket #FIC81-29

against

City and Town of Beacon
Falls and Zoning Enforce-
ment Officer of the City
and Town of Beacon Falls

September 8, 1981

The above captioned matter was scheduled for hearing on June 4, 1981 at which time the parties appeared. The hearing was then continued after the respondent agreed to provide whatever documents existed and were within the scope of the complainant's request. Subsequently the matter was rescheduled for hearing on August 11, 1981. At that time the complainant appeared and presented legal argument and evidence.

After consideration of the entire record the following facts are found:

1. The respondents are public agencies within the meaning of §1-18a(a), G.S.

2. By letter dated February 13, 1981 the complainant requested copies of the records concerning the disposition of two complaints which had been filed with the zoning enforcement officer.

3. No records were supplied to the complainant.

4. At the hearing the respondent agreed to provide what records existed.


5. The records were supplied. However, they were incomplete and did not correspond to information concerning the complaints concerning which the complainant had direct personal knowledge.

6. It appeared that the incomplete state of the records did not comply with the requirements of the zoning regulations of the respondent town.

7. It is found that the Freedom of Information Commission has no jurisdiction to enforce the zoning regulations of the Town of Beacon Falls.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint.

1. The complaint is dismissed.
2. The Commission doubts that any zoning officer can perform his or her duties adequately without a complete record of complaints filed by the public and their disposition.



Commissioner Helen M. Loy
as Hearing Officer

Approved by order of the Freedom of Information Commission at its regular meeting of October 28, 1981.



Mary Jo Jolicœur
Clerk of the Commission