



General Assembly

February Session, 2000

Amendment

LCO No. 4193

Offered by:

REP. BERNHARD, 136th Dist.

To: Senate Bill No. 611

File No. 487

Cal. No. 513

"An Act Concerning Special Services Districts."

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- 1 In line 1, before "(NEW)" insert "Section 1."
2 After line 6, insert the following:
3 "Sec. 2. (NEW) (a) Upon petition of fifty per cent of the owners of
4 benefited property and after a public hearing, a municipality may issue
5 bonds under section 7-369 of the general statutes for the construction
6 of sound barriers along an interstate highway, the proceeds of which
7 shall be used as a municipal contribution towards the cost of planning,
8 designing and constructing of such sound barriers, provided the
9 proceeds of such bonds are paid to the Department of Transportation
10 for the purpose of planning, designing and constructing such sound
11 barriers. Any municipality that issues bonds under this section shall
12 levy benefit assessments upon properties benefited for the purpose of
13 paying for such bonds and the costs of issuance.
14 (b) Any assessment of benefits or any instalment thereof, not paid
15 within thirty days after the due date, shall be delinquent and shall be
16 subject to interest from such due date at the interest rate and in the

17 manner provided by the general statutes for delinquent property taxes.
18 Each addition of interest shall be collectible as a part of such
19 assessment.

20 (c) Whenever any instalment of an assessment becomes delinquent,
21 the interest on such delinquent instalment shall be as provided in
22 subsection (a) or five dollars, whichever is greater. Any unpaid
23 assessment and any interest due thereon shall constitute a lien upon
24 the real estate against which the assessment was levied from the date
25 of such levy. Each such lien may be continued, recorded and released
26 in the manner provided by the general statutes for continuing,
27 recording and releasing property tax liens. Each such lien shall take
28 precedence over all other liens and encumbrances except taxes and
29 may be enforced in the same manner as property tax liens. The tax
30 collector of the municipality may collect such assessments in
31 accordance with any mandatory provision of the general statutes for
32 the collection of property taxes and the municipality may recover any
33 such assessment in a civil action against any person liable therefor.

34 (d) Any municipality, by resolution of its legislative body, may
35 assign, for consideration, any and all liens filed by the tax collector to
36 secure unpaid sewer assessments as provided under the provisions of
37 this chapter. The consideration received by the municipality shall be
38 negotiated between the municipality and the assignee. The assignee or
39 assignees of such liens shall have and possess the same powers and
40 rights at law or in equity as such municipality and municipality's tax
41 collector would have had if the lien had not been assigned with regard
42 to the precedence and priority of such lien, the accrual of interest and
43 the fees and expenses of collection. The assignee shall have the same
44 rights to enforce such liens as any private party holding a lien on real
45 property, including, but not limited to, foreclosure and a suit on the
46 debt. Costs and reasonable attorneys' fees incurred by the assignee as a
47 result of any foreclosure action or other legal proceeding brought
48 pursuant to this section and directly related to the proceeding shall be
49 taxed in any such proceeding against each person having title to any
50 property subject to the proceedings. Such costs and fees may be

51 collected by the assignee at any time after demand for payment has
52 been made by the assignee.

53 (e) As used in this section, "benefited property" means any
54 residential property in a municipality located within an area
55 designated by the municipality and "municipality" means any
56 municipality as defined in section 7-369 of the general statutes."