



General Assembly

February Session, 2006

Raised Bill No. 389

LCO No. 1869

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Referred to Committee on Planning and Development

Introduced by:

(PD)

AN ACT AUTHORIZING DISTRESSED MUNICIPALITIES TO ESTABLISH A SPECIAL ASSESSMENT ON RENTAL PROPERTY NOT COMPLYING WITH HEALTH, HOUSING AND SAFETY CODES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2006*) (a) Any municipality that is a
2 distressed municipality, as defined in section 32-9p of the general
3 statutes, may, by ordinance adopted by its legislative body on
4 recommendation of its board of finance or equivalent body, provide
5 for a special assessment on housing in repeated noncompliance with
6 state and local health, housing and safety codes and regulations.

7 (b) Prior to initial approval by the legislative body of such
8 municipality of the plan for implementation of the special assessment
9 to be provided pursuant to the provisions of this section, the executive
10 authority of such municipality shall appoint a committee consisting of
11 not less than five taxpayers of such municipality, the tax assessor and
12 representatives of municipal agencies responsible for health, housing
13 and safety code compliance. The committee shall undertake and
14 complete, within a period not in excess of sixty days following such
15 appointment, a study and investigation with respect to such special

16 assessment and shall submit a report to the board of finance or
17 equivalent body of such municipality. The report shall include, but not
18 be limited to, the following: (1) A statement describing the fiscal effect
19 of a special assessment on the revenue for the municipality; (2)
20 identification of properties that may be subject to an assessment; (3)
21 the amount of property taxes generated by the properties and the cost
22 to the municipality for code enforcement on such properties, including
23 costs for police and fire; (4) recommendations with respect to the form
24 and extent of any assessment; and (5) standards for imposition of the
25 assessment, including standards for determination of repeated
26 noncompliance. In establishing the standard to determine
27 noncompliance, the committee shall consider the number of
28 outstanding health, housing and safety violations for the property, the
29 number of times municipal health, housing and safety personnel have
30 had to inspect the property and the cost to the municipality to enforce
31 code compliance on the property. After the initial approval of the
32 special assessment by the legislative body of such municipality, such
33 plan may be amended from time to time by vote of its legislative body
34 on recommendation of its board of finance or equivalent body without
35 compliance with the requirements of this subsection applicable to such
36 initial approval.

37 (c) Any ordinance adopted under subsection (a) of this section shall
38 include, but not be limited to, the following: (1) Standards for
39 determination for imposition on a special assessment on a property, (2)
40 the amount of the assessment based on an analysis of the costs to the
41 municipality for health, housing and safety code inspection and
42 enforcement, including costs for police and fire, (3) procedures for
43 notice to the property owner of imposition of the special assessment
44 and for appeal of an assessment, and (4) the appointment of a board
45 consisting of the finance director, tax assessor and municipal code
46 enforcement to determine when the special assessment should be
47 imposed on a specific property.

48 (d) Any funds received by a municipality from a special assessment

49 imposed pursuant to an ordinance adopted under subsection (c) of this
50 section shall be deposited into a special fund or account maintained by
51 the municipality which shall be dedicated for expenses of the
52 municipality related to enforcement of state and local health, housing
53 and safety codes and regulations, including expenses related to
54 community police.

55 (e) Any unpaid special assessment imposed by a municipality
56 pursuant to the provisions of an ordinance adopted under subsection
57 (c) of this section shall constitute a lien upon the real estate against
58 which the fine was imposed from the date of such fine. Each such lien
59 may be continued, recorded and released in the manner provided by
60 the general statutes for continuing, recording and releasing property
61 tax liens. Each such lien shall take precedence over all other liens filed
62 after the effective date of this section, and encumbrances except taxes
63 and may be enforced in the same manner as property tax liens.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section

Statement of Purpose:

To authorize distressed municipalities to establish a special assessment on nonowner occupied rental property not in compliance with health, housing and safety codes and to provide a source of revenue for municipal code enforcement.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]