



General Assembly

Amendment

January Session, 2007

LCO No. 8714

SB0016708714HR0

Offered by:

REP. BACCHIOCHI, 52nd Dist.

SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 167

File No. 560

Cal. No. 704

(As Amended by Senate Amendment Schedule "A")

"AN ACT REVISING THE PROCESS FOR THE TAKING OF REAL PROPERTY BY MUNICIPALITIES FOR REDEVELOPMENT AND ECONOMIC DEVELOPMENT."

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- 1 Strike subdivision (1) of subsection (b) of section 1 in its entirety and
2 substitute the following in lieu thereof:
- 3 "(b) (1) The development agency may, with the approval of the
4 legislative body in accordance with this subsection, and in the name of
5 the municipality, acquire by eminent domain real property located
6 within the project area and real property and interests therein for
7 rights-of-way and other easements to and from the project area, in the
8 same manner that a redevelopment agency may acquire real property
9 under sections 8-128 to 8-133, inclusive, as amended by this act, as if
10 said sections specifically applied to development agencies, except that
11 (A) no real property may be acquired by eminent domain pursuant to
12 this subsection for the primary purpose of increasing local tax revenue,

13 and (B) no owner-occupied residential real property consisting of four
14 or fewer dwelling units may be acquired by eminent domain pursuant
15 to this subsection if the development project will be under the
16 ownership or control of a private enterprise, unless the property is
17 deteriorated, as defined in section 7-600, as amended by this act."

18 Strike subdivision (1) of subsection (a) of section 2 in its entirety and
19 substitute the following in lieu thereof:

20 "(a) (1) No real property may be acquired by a redevelopment
21 agency by eminent domain pursuant to section 8-128 of the general
22 statutes, as amended by this act, under a redevelopment plan under
23 chapter 130 of the general statutes, for the primary purpose of
24 increasing local tax revenue. No owner-occupied residential real
25 property consisting of four or fewer dwelling units may be acquired by
26 a redevelopment agency by eminent domain pursuant to section 8-128
27 of the general statutes, as amended by this act, if the redevelopment
28 project will be under the ownership or control of a private enterprise,
29 unless the property is deteriorated, as defined in section 7-600, as
30 amended by this act."

31 Strike subdivision (1) of subsection (i) of section 3 in its entirety and
32 substitute the following in lieu thereof

33 "(i) (1) The implementing agency may, with the approval of the
34 legislative body of the municipality, and in the name of the
35 municipality, condemn in accordance with section 8-128 to 8-133,
36 inclusive, as amended by this act, any real property necessary or
37 appropriate for the project as identified in the development plan,
38 including real property and interests in land for rights-of-way and
39 other easements to and from the project area, except that (A) no real
40 property may be condemned pursuant to this subsection for the
41 primary purpose of increasing local tax revenue, and (B) no owner-
42 occupied residential real property consisting of four or fewer dwelling
43 units may be condemned pursuant to this subsection if the
44 development project will be under the ownership or control of a

45 private enterprise, unless the property is deteriorated, as defined in
46 section 7-600, as amended by this act."

47 Strike subdivisions (2) and (3) of section 5 in their entirety and
48 substitute the following in lieu thereof:

49 "[~~(b)~~] (~~2~~) "Redevelopment area" means an area within the state
50 [~~which~~] that is deteriorated, [~~deteriorating,~~] substandard or
51 detrimental to the safety, health, morals or welfare of the community.
52 An area may consist partly or wholly of vacant or unimproved land or
53 of land with structures and improvements thereon, and may include
54 structures not in themselves substandard or insanitary which are
55 found to be essential to complete an adequate unit of development, if
56 the redevelopment area is deteriorated, [~~deteriorating,~~] substandard or
57 detrimental to the safety, health, morals or welfare of the community.

58 An area may include properties not contiguous to each other. An area
59 may include all or part of the territorial limits of any fire district, sewer
60 district, fire and sewer district, lighting district, village, beach or
61 improvement association or any other district or association, wholly
62 within a town and having the power to make appropriations or to levy
63 taxes, whether or not such entity is chartered by the General Assembly;

64 [~~(c)~~] (~~3~~) A "redevelopment plan" [~~shall include: (1)~~] means a plan
65 that includes: (A) (i) A description of the redevelopment area and the
66 condition, type and use of the structures therein, and (ii) specification
67 of each parcel proposed to be acquired, including parcels to be
68 acquired by eminent domain; [(2)] (B) the location and extent of the
69 land uses proposed for and within the redevelopment area, such as
70 housing, recreation, business, industry, schools, civic activities, open
71 spaces or other categories of public and private uses; [(3)] (C) the
72 location and extent of streets and other public utilities, facilities and
73 works within the redevelopment area; [(4)] (D) schedules showing the
74 number of families displaced by the proposed improvement, the
75 method of temporary relocation of such families and the availability of
76 sufficient suitable living accommodations at prices and rentals within
77 the financial reach of such families and located within a reasonable

78 distance of the area from which [they] such families are displaced; [(5)]
79 (E) present and proposed zoning regulations in the redevelopment
80 area; [(6)] (F) a description of how the redevelopment area is
81 deteriorated, substandard or detrimental to the safety, health, morals
82 or welfare of the community; and (G) any other detail including
83 financial aspects of redevelopment which, in the judgment of the
84 redevelopment agency authorized herein, is necessary to give it
85 adequate information;"

86 After the last section, add the following and renumber sections and
87 internal references accordingly:

88 "Sec. 501. Section 7-600 of the general statutes is repealed and the
89 following is substituted in lieu thereof (*Effective October 1, 2007, and*
90 *applicable to property acquired on or after said date*):

91 (a) Any municipality may by resolution of its legislative body
92 establish neighborhood revitalization zones, in one or more
93 neighborhoods, for the development by neighborhood groups of a
94 collaborative process for federal, state and local governments to
95 revitalize neighborhoods where there is a significant number of
96 deteriorated property and property that has been foreclosed, is
97 abandoned, blighted or is substandard or poses a hazard to public
98 safety. The resolution shall (1) provide that the chief executive official
99 facilitate the planning process for neighborhood revitalization zones
100 by assigning municipal staff to make available information to
101 neighborhood groups and to modify municipal procedures to assist
102 neighborhood revitalization zones, and (2) establish a process for
103 determination of the boundaries of neighborhood revitalization zones.

104 (b) Public buildings in the municipality shall be available for
105 neighborhood groups to meet for neighborhood revitalization
106 purposes as determined by the chief executive official.

107 (c) As used in this section "deteriorated property" means property in
108 serious noncompliance with state and local health and safety codes
109 and regulations. Such deteriorated property includes, but is not limited

110 to:

111 (1) Any dwelling that, because it is dilapidated, unsanitary, unsafe,
112 vermin-infested or lacking in the facilities and equipment by the
113 housing code of the municipality, is unfit for human habitation;

114 (2) Any structure that is a fire hazard, or is otherwise dangerous to
115 the safety of persons or property;

116 (3) Any structure from which the utilities, plumbing, heating,
117 sewerage or other facilities have been disconnected, destroyed,
118 removed or rendered ineffective so that the property is unfit for its
119 intended use; and

120 (4) Any vacant or unimproved lot or parcel of land in a
121 predominately developed neighborhood that, by reason of neglect or
122 lack of maintenance, has become a place for accumulation of trash and
123 debris, or a haven for rodents or other vermin."