



General Assembly

February Session, 2010

Raised Bill No. 226

LCO No. 1139

01139_____PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING ZONING ENFORCEMENT OFFICERS.

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

1 Section 1. Section 8-12a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) Any municipality may, by ordinance adopted by its legislative
4 body, establish penalties for violations of zoning regulations adopted
5 under section 8-2 or by special act. The ordinance shall establish the
6 types of violations for which a citation may be issued and the amount
7 of any fine to be imposed thereby and shall specify the time period for
8 uncontested payment of fines for any alleged violation under any such
9 regulation. No fine imposed under the authority of this section may
10 exceed one hundred fifty dollars for each day a violation continues.
11 Any fine shall be payable to the treasurer of the municipality.

12 (b) The hearing procedure for any citation issued pursuant to this
13 section shall be in accordance with section 7-152c except that no zoning
14 enforcement officer, building inspector or employee of the municipal
15 body exercising zoning authority may be appointed to be a hearing
16 officer.

17 [(c) Any zoning enforcement officer who issues a citation pursuant
18 to an ordinance adopted under this section shall be liable for treble
19 damages in any civil action if the court finds that such citation was
20 issued frivolously or without probable cause.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	8-12a

Statement of Purpose:

To eliminate a provision allowing treble damages against a zoning enforcement officer who issues a citation if a court finds that such citation was issued frivolously or without probable cause.

[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.]