

Testimony
S. B. 862
An Act Concerning Liability Of Zoning Enforcement Officers.

Planning And Development Public Hearing
Friday, February 18, 2011

Dear Senator Cassano, Representative Gentile, Senator Fasano, Representative Aman and members of the Planning And Development Committee:

I am writing you to request that all personal liability of Zoning officials, in Section 1. Subsection (c) of section 8-12a of the general statutes, be eliminated.

Zoning officials are subjected to personal liability for treble damages by state statute. This provision should be repealed, because it prohibits municipalities from effectively enforcing local zoning regulations. These officials are the only group personally liable for the decisions they make, and as a result, they are hesitant to assess penalties for zoning violations.

Zoning Enforcement Officials should be held to the same standards as wetland officials, building inspectors, and other officials that perform similar functions. I am concerned that your proposed legislation intends to continue to subject Zoning Enforcement Officials to personal liability.

Thank you for your time and your consideration.

Sincerely,

Michael L. Molgano
State Representative
District 144