



House of Representatives

General Assembly

File No. 88

February Session, 2012

House Bill No. 5319

House of Representatives, March 22, 2012

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT INCREASING FINES FOR VIOLATIONS OF MUNICIPAL BLIGHT ORDINANCES.

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

1 Section 1. Subparagraph (H)(xv) of subdivision (7) of subsection (c)
2 of section 7-148 of the 2012 supplement to the general statutes is
3 repealed and the following is substituted in lieu thereof (*Effective*
4 *October 1, 2012*):

5 (xv) Make and enforce regulations for the prevention and
6 remediation of housing blight, including regulations reducing
7 assessments and authorizing designated agents of the municipality to
8 enter property during reasonable hours for the purpose of remediating
9 blighted conditions, provided such regulations define housing blight,
10 and further provided such regulations shall not authorize such
11 municipality or its designated agents to enter any dwelling house or
12 structure on such property, and including regulations establishing a
13 duty to maintain property and specifying standards to determine if
14 there is neglect; prescribe fines for the violation of such regulations [of

15 not less than ten or more than one hundred dollars for each day that a]
 16 as follows: (I) For the period from the first day to the thirtieth day
 17 during which such violation exists, one hundred dollars for each day
 18 that such violation continues; (II) for the period from the thirty-first
 19 day to the sixtieth day during which such violation exists, two
 20 hundred fifty dollars for each day that such violation continues; and
 21 (III) for the period from the sixty-first day to the day the violation is
 22 corrected, five hundred dollars for each day that such violation
 23 continues and, if such fines are prescribed, such municipality shall
 24 adopt a citation hearing procedure in accordance with section 7-152c;

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	7-148(c)(7)(H)(xv)

PD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 13 \$	FY 14 \$
All Municipalities	Potential Revenue Gain	Potential Minimal	Potential Minimal

Explanation

The bill changes the schedule of fines to violators of housing blight from a range of \$10 to \$100 per day to \$100 to \$500 per day (determined by the number of days the violation exists). The extent to which municipalities gain additional revenue depends on the number of violations of housing blight and the number of violation days.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to violators of housing blight.

OLR BILL ANALYSIS**HB 5319*****AN ACT INCREASING FINES FOR VIOLATIONS OF MUNICIPAL BLIGHT ORDINANCES.*****SUMMARY:**

This bill increases the daily fine that a municipality may impose for violating regulations preventing housing blight from between \$10 and \$100 per day to:

1. \$100 per day for the first 30 days of the violation,
2. \$250 per day for the 31st to 60th days of the violation, and
3. \$500 per day from the 61st day of the violation until it is corrected.

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Blight Ordinances***

By law, municipalities can adopt an ordinance to prevent housing blight and impose fines for each day that a violation continues. Any unpaid fine imposed by a municipality under a blight ordinance is a lien on the property against which the fine was imposed. Such liens take precedence over all other liens and encumbrances, except taxes, filed after July 1, 1997 (CGS § 7-148aa).

Municipalities that choose to issue citations for violating anti-blight ordinances must follow a statutory procedure for notifying property owners about alleged violations and their right to a hearing. Under CGS § 7-152c, the procedure for receiving notice of an alleged violation and for contesting it is the same as that for municipal parking tickets.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 16 Nay 4 (03/07/2012)