



General Assembly

February Session, 2012

**Amendment**

LCO No. 4758

**\*HB0531904758HDO\***

Offered by:

REP. BERGER, 73<sup>rd</sup> Dist.  
REP. GENTILE, 104<sup>th</sup> Dist.  
SEN. CASSANO, 4<sup>th</sup> Dist.  
REP. ALBIS, 99<sup>th</sup> Dist.  
REP. SMITH, 108<sup>th</sup> Dist.  
REP. TONG, 147<sup>th</sup> Dist.  
REP. LARSON, 11<sup>th</sup> Dist.

REP. GROGINS, 129<sup>th</sup> Dist.  
SEN. HARTLEY, 15<sup>th</sup> Dist.  
SEN. MARKLEY, 16<sup>th</sup> Dist.  
REP. ALDARONDO, 75<sup>th</sup> Dist.  
REP. BUTLER, 72<sup>nd</sup> Dist.  
REP. D'AMELIO, 71<sup>st</sup> Dist.  
REP. NOUJAIM, 74<sup>th</sup> Dist.

To: House Bill No. 5319

File No. 88

Cal. No. 100

**"AN ACT INCREASING FINES FOR VIOLATIONS OF MUNICIPAL  
BLIGHT ORDINANCES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 8-8 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2012*):

6 (a) As used in this section:

7 (1) "Aggrieved person" means a person aggrieved by a decision of a  
8 board and includes any officer, department, board or bureau of the  
9 municipality charged with enforcement of any order, requirement or

10 decision of the board. In the case of a decision by a zoning commission,  
11 planning commission, combined planning and zoning commission or  
12 zoning board of appeals, "aggrieved person" includes any person  
13 owning or possessing land in this state that abuts or is within a radius  
14 of one hundred feet of any portion of the land involved in the decision  
15 of the board.

16 (2) "Board" means a municipal zoning commission, planning  
17 commission, combined planning and zoning commission, zoning  
18 board of appeals or other board or commission the decision of which  
19 may be appealed pursuant to this section, or the chief elected official of  
20 a municipality, or such official's designee, in a hearing held pursuant  
21 to section 22a-250, whose decision may be appealed.

22 Sec. 2. Subparagraph (H)(xv) of subdivision (7) of subsection (c) of  
23 section 7-148 of the 2012 supplement to the general statutes is repealed  
24 and the following is substituted in lieu thereof (*Effective October 1,*  
25 *2012*):

26 (xv) Make and enforce regulations for the prevention and  
27 remediation of housing blight, including regulations reducing  
28 assessments and authorizing designated agents of the municipality to  
29 enter property during reasonable hours for the purpose of remediating  
30 blighted conditions, provided such regulations define housing blight  
31 and require such municipality to give written notice of any violation to  
32 the owner and occupant of the property and provide a reasonable  
33 opportunity for the owner and occupant to remediate the blighted  
34 conditions prior to any enforcement action being taken, and further  
35 provided such regulations shall not authorize such municipality or its  
36 designated agents to enter any dwelling house or structure on such  
37 property, and including regulations establishing a duty to maintain  
38 property and specifying standards to determine if there is neglect;  
39 prescribe [fines] civil penalties for the violation of such regulations of  
40 not less than ten or more than one hundred dollars for each day that a  
41 violation continues and, if such [fines] civil penalties are prescribed,  
42 such municipality shall adopt a citation hearing procedure in

43 accordance with section 7-152c.

44 Sec. 3. (NEW) (*Effective October 1, 2012*) (a) Except as provided in  
45 subsection (b) of this section, any person who, after written notice and  
46 a reasonable opportunity to remediate blighted conditions, wilfully  
47 violates any regulation adopted pursuant to subparagraph (H)(xv) of  
48 subdivision (7) of subsection (c) of section 7-148 of the general statutes,  
49 as amended by this act, concerning the prevention and remediation of  
50 housing blight shall be fined by the state not more than two hundred  
51 fifty dollars for each day for which it can be shown, based on actual  
52 inspection of the property on each such day, that the blighted  
53 conditions continued to exist after written notice to the owner or  
54 occupant as provided in this section, and the expiration of a reasonable  
55 opportunity to remediate.

56 (b) Any person who is a new owner or new occupant shall, upon  
57 request, be granted a thirty-day extension of the notice and  
58 opportunity to remediate provided pursuant to subsection (a) of this  
59 section. For the purposes of this section, "new owner" means any  
60 person or entity who has taken title to a property within thirty days of  
61 the notice, and "new occupant" means any person who has taken  
62 occupancy of a property within thirty days of the notice.

63 Sec. 4. Section 7-148aa of the general statutes is repealed and the  
64 following is substituted in lieu thereof (*Effective October 1, 2012*):

65 Any unpaid [fine] penalty imposed by a municipality pursuant to  
66 the provisions of an ordinance regulating blight, adopted pursuant to  
67 subparagraph (H)(xv) of subdivision (7) of subsection (c) of section 7-  
68 148, as amended by this act, shall constitute a lien upon the real estate  
69 against which the [fine] penalty was imposed from the date of such  
70 [fine] penalty. Each such lien may be continued, recorded and released  
71 in the manner provided by the general statutes for continuing,  
72 recording and releasing property tax liens. Each such lien shall take  
73 precedence over all other liens filed after July 1, 1997, and  
74 encumbrances except taxes and may be enforced in the same manner

75 as property tax liens."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	8-8(a)
Sec. 2	<i>October 1, 2012</i>	7-148(c)(7)(H)(xv)
Sec. 3	<i>October 1, 2012</i>	New section
Sec. 4	<i>October 1, 2012</i>	7-148aa