



General Assembly

February Session, 2012

Amendment

LCO No. 4464

HB0531904464HDO

Offered by:

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

REP. GROGINS, 129th Dist.
SEN. HARTLEY, 15th Dist.
SEN. MARKLEY, 16th Dist.
REP. ALDARONDO, 75th Dist.
REP. BUTLER, 72nd Dist.
REP. D'AMELIO, 71st Dist.
REP. NOUJAIM, 74th 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4 repealed and the following is substituted in lieu thereof (*Effective*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] means a
13 person [owning] aggrieved by such a decision who owns or possesses
14 land in this state that abuts or is within a radius of one hundred feet of
15 any portion of the land involved in the decision 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23 section 7-148 of the 2012 supplement to the general statutes is repealed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