



General Assembly

January Session, 2013

Raised Bill No. 1049

LCO No. 3627



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT AUTHORIZING MUNICIPALITIES TO REGULATE BLIGHTED COMMERCIAL PROPERTY.

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2 of section 7-148 of the general statutes is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2013*):

4 (xv) Make and enforce regulations for the prevention and
5 remediation of [housing] blight, including regulations reducing
6 assessments and authorizing designated agents of the municipality to
7 enter property during reasonable hours for the purpose of remediating
8 blighted conditions, provided such regulations define [housing] blight
9 and require such municipality to give written notice of any violation to
10 the owner and occupant of the property and provide a reasonable
11 opportunity for the owner and occupant to remediate the blighted
12 conditions prior to any enforcement action being taken, and further
13 provided such regulations shall not authorize such municipality or its
14 designated agents to enter any dwelling house or structure on such
15 property, and including regulations establishing a duty to maintain

16 property and specifying standards to determine if there is neglect;
17 prescribe civil penalties for the violation of such regulations of not less
18 than ten or more than one hundred dollars for each day that a
19 violation continues and, if such civil penalties are prescribed, such
20 municipality shall adopt a citation hearing procedure in accordance
21 with section 7-152c;

22 Sec. 2. Subsection (a) of section 7-148o of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective*
24 *October 1, 2013*):

25 (a) Except as provided in subsection (b) of this section, any person
26 who, after written notice and a reasonable opportunity to remediate
27 blighted conditions, wilfully violates any regulation adopted pursuant
28 to subparagraph (H)(xv) of subdivision (7) of subsection (c) of section
29 7-148, as amended by this act, concerning the prevention and
30 remediation of [housing] blight shall be fined by the state not more
31 than two hundred fifty dollars for each day for which it can be shown,
32 based on actual inspection of the property on each such day, that the
33 blighted conditions continued to exist after written notice to the owner
34 or occupant as provided in this section, and the expiration of a
35 reasonable opportunity to remediate.

36 Sec. 3. Subsection (a) of section 7-148ff of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective*
38 *October 1, 2013*):

39 (a) Any municipality that has regulations for the prevention and
40 remediation of [housing] blight under subparagraph (H)(xv) of
41 subdivision (7) of subsection (c) of section 7-148, as amended by this
42 act, may, by ordinance adopted by its legislative body on
43 recommendation of its board of finance or equivalent body, provide
44 for a special assessment on [housing] property that is blighted, as
45 defined in such regulations. Such ordinance may authorize a
46 municipality to designate an agent or agents who shall have the right

47 to enter property during reasonable hours for the purpose of
48 remediating blighted conditions, provided such agent or agents shall
49 not enter any dwelling house or other structure.

50 Sec. 4. Subsection (c) of section 7-148jj of the general statutes is
51 repealed and the following is substituted in lieu thereof (*Effective*
52 *October 1, 2013*):

53 (c) Nothing in this section shall prohibit or limit a municipality from
54 adopting or enforcing an ordinance or regulation relating to the
55 prevention of [housing] blight pursuant to subparagraph (H)(xv) of
56 subdivision (7) of subsection (c) of section 7-148, as amended by this
57 act, the maintenance of safe and sanitary housing as provided in
58 subparagraph (A) of subdivision (7) of subsection (c) of section 7-148,
59 or the abatement of nuisances as provided in subparagraph (E) of
60 subdivision (7) of subsection (c) of section 7-148.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	7-148(c)(7)(H)(xv)
Sec. 2	<i>October 1, 2013</i>	7-148o(a)
Sec. 3	<i>October 1, 2013</i>	7-148ff(a)
Sec. 4	<i>October 1, 2013</i>	7-148jj(c)

Statement of Purpose:

To authorize municipalities to enact ordinances that address blighted commercial property.

[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.]