

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 13-9—sHB 6481

Planning and Development Committee

**AN ACT CONCERNING ENFORCEMENT PROTECTION FOR
NONCONFORMING STRUCTURES**

SUMMARY: This act allows structures built in violation of zoning regulations to be deemed nonconforming under the same circumstances as buildings. This means a structure that (1) violates setback requirements or (2) sits on a lot in violation of minimum lot area requirements is a nonconforming structure if the applicable zoning regulations are not enforced within the first three years of the violation. The act places the burden of proving that a structure, but not a building, is nonconforming on the property owner.

The act allows towns to define “structure” in their zoning regulations. If not defined locally, the act defines “structure” as any combination of materials, other than a building, that is affixed to land. The definition includes signs, fences, walls, pools, patios, tennis courts, and decks.

EFFECTIVE DATE: October 1, 2013

OLR Tracking: JB:JKL:TA:RO