



General Assembly

January Session, 2015

**Committee Bill No. 6653**

LCO No. 5563



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

***AN ACT CONCERNING MUNICIPALITIES.***

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

1 Section 1. (NEW) (*Effective October 1, 2015*) Whenever a municipality  
2 issues a written warning or citation for violation of a municipal  
3 ordinance concerning real property, such municipality shall, if the  
4 property is encumbered by a mortgage that secures a loan, send notice  
5 of such warning or citation, by certified mail, return receipt requested,  
6 to the mortgage lender for such property. Such notice shall describe  
7 the violation and specify the date on which such violation occurred.

8 Sec. 2. Section 7-148aa of the general statutes is repealed and the  
9 following is substituted in lieu thereof (*Effective October 1, 2015*):

10 (a) Any unpaid penalty imposed by a municipality pursuant to the  
11 provisions of an ordinance regulating blight, adopted pursuant to  
12 subparagraph (H)(xv) of subdivision (7) of subsection (c) of section 7-  
13 148, shall constitute a lien upon the real estate against which the  
14 penalty was imposed from the date of such penalty.

15 (b) Any unpaid penalty described in subsection (a) of this section

16 may be secured by a lien placed upon any real estate in the state  
17 owned by the same person or entity that owns the real estate on which  
18 a lien is placed pursuant to subsection (a) of this section.

19 (c) Each such lien may be continued, recorded and released in the  
20 manner provided by the general statutes for continuing, recording and  
21 releasing property tax liens. Each such lien shall take precedence over  
22 all other liens filed after July 1, 1997, and encumbrances except taxes  
23 and may be enforced in the same manner as property tax liens.

24 Sec. 3. Subsection (b) of section 7-148ii of the general statutes is  
25 repealed and the following is substituted in lieu thereof (*Effective*  
26 *October 1, 2015*):

27 (b) Registration made pursuant to subsection (a) of this section shall  
28 contain (1) the name, address, telephone number and electronic mail  
29 address of the plaintiff in the foreclosure action and, if such plaintiff is  
30 an entity or an individual who resides out-of-state, the name, address,  
31 telephone number and electronic mail address of a direct contact in the  
32 state, provided such a direct contact is available; (2) the name, address,  
33 telephone number and electronic mail address of the person, local  
34 property maintenance company, local property manager or other  
35 entity serving as such plaintiff's contact with the municipality for any  
36 matters concerning the residential property; and (3) the following  
37 heading in at least ten-point boldface capital letters: NOTICE TO  
38 MUNICIPALITY: REGISTRATION OF PROPERTY BEING  
39 FORECLOSED. The plaintiff in the foreclosure action shall indicate on  
40 such registration whether it prefers to be contacted by first class mail  
41 or electronic mail and the preferred addresses for such  
42 communications. Such plaintiff shall report to the town clerk of the  
43 municipality in which the property is located, by mail or other form of  
44 delivery, any change in the information provided on the registration  
45 not later than thirty days following the date of the change of  
46 information. At the time of registration, such plaintiff shall pay a land  
47 record filing fee to the municipality as specified in section 7-34a.

48 Sec. 4. Section 7-325 of the general statutes is repealed and the  
49 following is substituted in lieu thereof (*Effective October 1, 2015*):

50 (a) Upon the petition of fifteen or more voters [, as defined by  
51 section 7-6,] of any town, specifying the limits of a proposed district for  
52 any or all of the purposes set forth in section 7-326, the selectmen of  
53 such town shall call a meeting of the voters residing within such  
54 specified limits to act upon such petition, which meeting shall be held  
55 at such place within such town and such hour as the selectmen  
56 designate, within thirty days after such petition has been received by  
57 such selectmen. Such limits shall contain only contiguous property,  
58 except any proposed district which is proposed to be established only  
59 to plan, lay out, acquire, construct, reconstruct, repair, maintain,  
60 operate and regulate the use of a community water system or to  
61 construct and maintain drains and sewers or both and which does not  
62 exercise any of the other powers enumerated in section 7-326, may  
63 contain noncontiguous properties if the properties proposed to be  
64 included are, or are to be, served by a common water or sewer main.  
65 Such meeting shall be called by publication of a written notice of the  
66 same, signed by the selectmen, at least fourteen days before the time  
67 fixed for such meeting in two successive issues of some newspaper  
68 published or circulated in such town. Not later than twenty-four hours  
69 before such meeting, (1) two hundred or more voters or ten per cent of  
70 the total number of voters, whichever is less, may petition the  
71 selectmen in writing for a referendum, or (2) the selectmen in their  
72 discretion may order a referendum, on the sole question of whether  
73 the proposed district should be established. Any such referendum  
74 shall be held not less than seven nor more than fourteen days after the  
75 receipt of such petition or the date of such order, on a day to be set by  
76 the selectmen for a vote by paper ballots or by a "yes" or "no" vote on  
77 the voting machines, during the hours between twelve o'clock noon  
78 and eight o'clock p.m.; except that any town may, by vote of its  
79 selectmen, provide for an earlier hour for opening the polls but not  
80 earlier than six o'clock a.m., notwithstanding the provisions of any  
81 special act to the contrary. If two-thirds of the voters, or, in the case of

82 a proposed district to maintain water quality in a lake, a majority of  
83 voters, casting votes in such referendum vote in favor of establishing  
84 the proposed district, the selectmen shall reconvene such meeting not  
85 later than seven days after the day on which the referendum is held.  
86 Upon approval of the petition for the proposed district by two-thirds  
87 of the voters present at such meeting, or if a referendum is held, upon  
88 the reconvening of such meeting after the referendum, the voters may  
89 name the district and, upon the vote of a majority of such voters,  
90 choose necessary officers therefor to hold office until the first annual  
91 meeting thereof; and the district shall, upon the filing of the first report  
92 required pursuant to subsection (c) of this section, thereupon be a body  
93 corporate and politic and have the powers, not inconsistent with the  
94 general statutes, in relation to the objects for which it was established,  
95 that are necessary for the accomplishment of such objects, including  
96 the power to lay and collect taxes. The clerk of such district shall cause  
97 its name and a description of its territorial limits and of any additions  
98 that may be made thereto to be recorded in the land records of each  
99 town in which such district is located.

100 (b) Any district may enlarge or reduce its territorial limits if the  
101 board of directors of the district approves a resolution proposing such  
102 an enlargement or reduction and stating the proposed boundaries of  
103 the area proposed to be included or excluded, as the case may be,  
104 provided: (1) The board of directors of the district shall call a meeting  
105 of voters of the area proposed to be included or excluded, which  
106 meeting shall be held within thirty days of the board of directors'  
107 approval of such resolution and shall be called by publication of a  
108 written notice of the same, signed by the members of the board of  
109 directors of the district, at least fourteen days before the time fixed for  
110 such meeting in two successive issues of some newspaper published or  
111 circulated in such town, provided not later than twenty-four hours  
112 before any such meeting, two hundred or more such voters or ten per  
113 cent of the total number of such voters, whichever is less, may petition  
114 the clerk of the district, in writing, that a referendum on the question  
115 of whether the area proposed to be included or excluded should join or

116 leave the district be held in the manner provided in section 7-327; (2) a  
117 two-thirds majority of the voters of the area proposed to be included or  
118 excluded in attendance at such meeting, or, if a referendum is held,  
119 two-thirds of such voters casting votes in such referendum, vote in  
120 favor of joining or leaving such district; (3) that any area to be added is  
121 contiguous with some portion of the existing district, and (4) if the  
122 enlargement of the territorial limits of the district will overlap the  
123 territorial limits of another district within the town, the legislative  
124 body of the town approves such enlargement. If any district enlarges  
125 or reduces its territorial limits, the clerk of such district shall notify the  
126 town clerk of each town affected by such enlargement or reduction  
127 within thirty days after the vote.

128 (c) The clerk of each district created pursuant to this chapter or any  
129 provisions of the general statutes or any special act, shall report to the  
130 town clerk of each town in which such district is located: (1) If created  
131 by approval of a petition pursuant to subsection (a) of this section on  
132 or after July 1, 1987, within seven days of such approval; and (2) on or  
133 before July 31, 1993, and annually thereafter for each such district,  
134 irrespective of the date of creation. The first report filed after the  
135 creation of a district shall include a list of the officers of such district, a  
136 copy of the charter or special act of such district and such other  
137 information on the organization and the financial status of such district  
138 as the Secretary of the Office of Policy and Management may  
139 recommend. A copy of the charter or special act of such district shall  
140 be included in any subsequent report if such charter or special act was  
141 amended after the date of the previous filing. No district, irrespective  
142 of the date of creation, created by approval of a petition pursuant to  
143 subsection (a) of this section shall exist as a body corporate and politic  
144 until the clerk of such district has filed at least one report required by  
145 this subsection. If a district is located in more than one town, the report  
146 shall be filed by the district clerk with the town clerk of each town in  
147 which the district is located.

148 (d) Any fine imposed on and after July 1, 1992, on a clerk for failure

149 to file a report required pursuant to subsection (c) of this section shall  
150 be waived.

151 (e) For the purposes of this section, "voters" means voters as defined  
152 in section 7-6, except in the case of a proposed district to maintain  
153 water quality in a lake, voters are not required to be electors of the  
154 town in which such district is proposed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>October 1, 2015</i>	7-148aa
Sec. 3	<i>October 1, 2015</i>	7-148ii(b)
Sec. 4	<i>October 1, 2015</i>	7-325

**Statement of Purpose:**

To (1) require municipalities to give notice to mortgage lenders of property violations; (2) allow municipalities to secure liens on any property in the state owned by a person also owning property on which a lien has been placed for violation of a blight ordinance; (3) to include property manager in the entities that may be listed on the registration form filed with a municipality for residential properties in foreclosure; and (4) to modify voting requirements for the establishment of a district to maintain water quality in a lake.

*[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.]*

Co-Sponsors: REP. ROSARIO, 128th Dist.; REP. PORTER, 94th Dist.  
REP. VARGAS, 6th Dist.; REP. MILLER P., 145th Dist.

H.B. 6653