

Town of Columbia Anti Blight Ordinance

Ordinance # 15-9

A. PURPOSE:

The purpose of this Ordinance adopted pursuant to Connecticut General Statutes § 7-148(c)(7)(H)(xv), is to define, prohibit and abate blights and nuisances in order to protect, preserve, and promote public health, safety and welfare and to preserve and protect property values.

B. SCOPE:

No owner or occupant of real property located in the Town of Columbia shall allow, create or maintain blighted premises. The ordinance shall apply uniformly to the maintenance of all residential, non-residential, and undeveloped premises now in existence or hereafter constructed, maintained or modified.

C. DEFINITIONS:

The following definitions shall apply to the provisions set forth in this ordinance:

1. Blighted Premises: any properties or parcel of land in any zone in which at least one of the following conditions exist:
 - a. Poses a serious threat to the safety, health, and general welfare of the community as determined by the Sanitarian, Zoning Enforcement Officer, Fire Marshall or Building Inspector.
 - b. Contains structures not being maintained as evidenced by the existence of any of the following conditions: it is open to the elements, or has collapsing or missing walls, roofs, windows, doors or is unable to provide shelter, or serve the purpose for which it was constructed due to damage, dilapidation, decay, or severe animal infestation; solid waste as defined by Connecticut General Statutes is in the public view.
 - c. Contains material in the public view which is incapable of performing the function for which it is designed including, but not limited to: abandoned, discarded, or unused objects; equipment such as automobiles, boats, and recreation vehicles which are unregistered and missing parts, not complete in appearance and in an obvious state of disrepair; parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers and garbage that are in the public view.
 - d. Features lawn grass fifteen (15) inches or greater for a period of at least 15 days.
 - e. Features landscaping including but not limited to trees, shrubs, hedges, grass and plants, which physically hinder or interfere with the lawful use of abutting premises or block or interfere with the use of any sidewalk and/or private right of way or any road sign.
 - f. Graffiti

2. Dilapidation: partial ruin, decay or disrepair of property such that it would not qualify for a certificate of use and occupancy, or which is deemed unsafe or which is designated as unfit for habitation as defined in the State Basic Building Code.
3. Neighborhood: an area of the town comprising premises or parcels of land any part of which is contiguous with any other parcel within the town.
4. Public view: visible from any public right-of-way or neighborhood.

D. ENFORCEMENT OFFICER:

The Blight Enforcement Officer shall be appointed by the Board of Selectmen.

E. COMPLAINTS

1. Complaints may be submitted to the Enforcement Officers by members of the public, but such complaints must be in writing and signed on forms provided by the town.
2. IT is the responsibility of the Enforcement Officer to follow up on the complaint by viewing the property.
3. Should the Enforcement Officer determine that the complaint warrants remediation then he/she will follow up with the property owner.

F. SPECIAL CONSIDERATION FOR OWNER OCCUPIED RESIDENCES

Special consideration shall be given to owner occupied individuals that are elderly or disabled. If an owner cannot maintain a reasonable level of upkeeps on the owner occupied residence because the individual is elderly or disabled and no capable person resides in the residence, the Blight Enforcement Officer shall give the person time additional to correct the problem.

G. ENFORCEMENT BY CITATION:

1. The Blight Enforcement Officer is empowered to issue citations for any violation of this ordinance by leaving a copy of such citation form with the owner of the property or by affixing same to the premises. He/she shall also send a copy of the form by regular mail and by certified mail, return receipt requested, to the owner of the property to the owner's last known address as listed in the Tax Collector's office or, as applicable, to the registration address provided under Connecticut General Statutes § 7-148ii.
2. The penalty for violation of this ordinance shall be not less than ten dollars (\$10) and not more than one hundred dollars (\$100) for each day of violation. A single citation may impose fines for multiple days of violations.
3. The citation form shall contain the following information.
 - a. The address of the property at issue.

b. The provision of this ordinance that have been violated and the facts establishing such violation(s).

c. The date before which an uncontested payment of fines can be made.

H. CITATION; FINE; HEARING PROCEDURE.

1. The hearing procedures set forth in Connecticut General Statutes § 7-152c as set forth in Columbia Ordinance 22-3 shall apply to blight enforcement.
2. If fines are not paid within the uncontested period set forth in the citation, the Blight Enforcement Officer may issue a second citation notice, which notice shall state the penalties, description of the violation, notice of the right of hearing and such other requirements of Connecticut General Statutes § 7-152c and Columbia Ordinance 22-3.

I. INITIATION OF LEGAL PROCEEDINGS:

In addition to the citation process described herein, the Board of Selectmen is authorized to initiate legal proceedings in the Superior Court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs including cost of remedial action(s) authorized by the court and reasonable attorney's fees incurred by the Town of Columbia to enforce this ordinance.

J. ANTI BLIGHT LIEN:

Any unpaid penalty imposed pursuant to the provisions of this Ordinance shall constitute a lien upon the real estate against which the fine was imposed from the date of such penalty as set forth in Conn. Gen. Stat. § 7-148aa. The lien may be continued, recorded and released in the manner provided by the general statutes of Connecticut for the continuing, recording and releasing property tax liens. Each such lien may be enforced in the same manner as property tax liens, including foreclosure of the real property. Said lien shall remain an encumbrance upon the subject property until such time as the blight condition shall be abated and all civil penalties and/or fines and costs assessed have been paid.

K. PERMITS:

No inland wetlands, zoning or building permits may be issued on the blighted property until the blight citation has been abated and all/any associated penalties, fines and costs have been paid, and any liens have been released. Exception to this prohibition may be granted by the Town Administrator in cases where the permit concerns work where interests of public health, safety or welfare are better serviced by allowing the proposed improvements.”

L. EFFECT ON OTHER STANDARDS:

1. The provisions in this ordinance shall not be construed to prevent the enforcement of other statutes, codes, ordinances, or regulations which prescribe standards other than those provided in this ordinance.
2. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance, regulation, or other code of the town or state, the provision which

establishes the higher standard for the promotion and protection of the public health and safety, and property values, shall prevail.

3. This ordinance shall not affect violations of any other ordinances, codes, or regulations existing prior to the effective date of this code, and any such violations may be governed and continue to be punishable under the provisions of those ordinances, codes, or regulations in effect at the time the violations was committed.

M. EFFECTIVE DATE:

This Ordinance shall be effective thirty days after its publication in accordance with the Columbia Town Charter.

Town Meeting authorizes summary publication	November 18, 2014
Public Hearing held	November 18, 2014
Ordinance passed by Board of Selectmen	December 16, 2014
Summary of ordinance published in <i>The Chronicle</i>	December 23, 2014
Ordinance to be effective	January 22, 2015