

LEGAL NOTICE
PUBLIC HEARING NOTICE
TOWN OF HADDAM

Notice is hereby given; the Board of Selectmen of the Town of Haddam will be holding a Public Hearing on Tuesday, October 13, 2009 at 7:00 P.M. at the Town Hall Annex Building, 11 Jail Hill Road, Haddam, CT for the following purpose:

ANTI BLIGHT ORDINANCE

BE IT ORDAINED, by the town meeting of the Town of Haddam that:

- I. **Declaration of Policy:** This ordinance is enacted pursuant to Connecticut General Statutes Section 7-148 et seq. The purpose of this Ordinance is to prevent, reduce or eliminate blight, blighting factors or causes of blight within the Town of Haddam.
It is hereby found and determined that there may exist within the Town of Haddam a number of real properties, which are vacant and/or in a blighted condition, and that the continued existence of such properties contributes to the decline of neighborhoods. It is further found that the existence of such properties adversely affects the economic well-being of the Town and is harmful to the health, safety, and welfare of its residents.
- II. **Creation or Maintenance of Blighted Premises Prohibited.** No person shall Create, allow, or maintain any blighted premises.
- III. **Definitions.**
 1. Blighted Premises shall mean any building, structure, or parcel of land in which at least one of the following conditions exist:
 - A. It is determined by the Building Official that the building, structure or parcel of land is in a condition that poses a serious threat to the safety, health, morals and general welfare of the community.
 - B. It is attracting illegal activity as documented by the police.
 - C. It is a fire hazard as determined by the fire marshal or as documented by the fire department.
 - D. It is not being adequately maintained as evidenced, without limitation, by the existence of any one or more of the following factors: a) missing or boarded windows or doors, b) collapsing or missing walls, roof or floor, c) siding that is seriously damaged or missing, d) fire damage, e) A foundation that is structurally faulty, f) garbage, trash or abandoned vehicles situated on the property.
 - E. It has uncorrected building or health code violations.
 - F. Has become a place where criminal activity has taken place as documented by the police.
 - G. Is a fire hazard as determined by the fire marshal or the fire department.
 - H. Is a factor that is creating substantial risk of interference with the lawful use and enjoyment of other space within the building or other properties within the neighborhood, as documented by neighborhood complaints.
 - I. Is a factor that is causing other properties in the neighborhood to seriously depreciate.
 - J. Has unauthorized outside storage or accumulations of junk, rubbish, trash, boxes, paper, plastic, metal, iron or refuse of any kind, and/or the parking of inoperable vehicles, boats or machinery on the property or the public right of way.
- IV. **Identification of Blighted Properties.** Within 30 days after the enactment of this Ordinance, the Building Department, Health Department, Police, Fire Department, Fire Marshal and Zoning Enforcement Officer shall give written reports of any real property, buildings or structures that they are aware of that appear to be blighted properties. The Building Official shall take enforcement action according to this Ordinance.
- V. **Enforcement.** In addition to the enforcement action regarding the property identified in section IV above, the Building Official shall investigate any complaint or information received about a possible Blighted Property in a timely fashion. No person making a complaint or providing information shall be required to give his or her name or other identifying information and such information, if known by the Official shall be kept confidential by that Official and not disclosed to anyone. In all cases of enforcement, after the Building Official investigates the alleged blighted property, if a violation of this Ordinance is found, the Building Official shall notify the owner of a violation under this Ordinance by causing a written notice of violation to be served upon the property owner(s) by a State Marshal.

The notice of violation shall contain the following information and shall be on a form to be approved by town counsel: a) the name of the owner(s), b) the address of the property subject of the notice, c) the specific nature of the violation and the section of this Ordinance that is being violated, d) the date by which the violation must be corrected, which shall not exceed 60 days, e) the penalty for continued violation after the time for correction had passed, f) the procedure to appeal the notice of violation, g) the name and business telephone number of the Building Official finding such violation.

- VI. **Penalty.** The penalty for continuous violation of this Ordinance shall be \$100 for each day following the correction deadline in the notice of violation.
- VII. **Appeal.** The affected person(s) may appeal the action of the Building Official within 15 days of receipt of the notice of violation by requesting a hearing in front of the Board of Selectmen. A written request for hearing must be received by the First Selectman's secretary no later than the 15th day following service of the violation. The secretary shall then notify the person(s) appealing in writing of the date and time of the Board of Selectmen's meeting when it will consider the appeal. At the hearing, the person appealing may submit any information or evidence as he/she may wish. After consideration of any such additional information and after hearing from the Building Official who issued the violation, the Board of Selectmen shall issue a Notice of Decision in writing and shall mail it by certified mail, return receipt requested, to each person who has appealed and to the Building Official. Property owners may appeal the decision of the Board of Selectmen to the Superior Court in accordance with the provision of Section 7-152c of the Connecticut General Statutes. Any such appeal shall not toll or abate the penalty imposed by this Ordinance.
- VIII. **Blight Lien.** The Building Official is hereby authorized, in accordance with Section 7-148aa of the Connecticut General Statutes and this Ordinance, to place a lien or liens on any Blighted Property as security for any unpaid penalty or fine in favor of the Town of Haddam.
- IX. **Other Enforcement.** In addition to other available forms of enforcement, the provisions of this ordinance may be enforced through civil process.
- X. **Severability.** If any provision of this Ordinance or the application, thereof, shall be determined invalid or unenforceable, the remainder of this Ordinance, or the application of such terms and provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby; and each remaining term and provision hereof shall be deemed valid to the fullest extent permitted by law.
- XI. **Effective Date.** This Ordinance shall be published in a newspaper having general circulation in the Town of Haddam within 10 days of its passage and will become effective 15 days after publication thereof.

Dated in Haddam this 30th day of September, 2009.

BOARD OF SELECTMEN

Anthony J. Bondi
Robert P. Duval
Sean E. Donlan