

BLIGHT ORDINANCE

Definitions

Blight - any building or structure, part of a building or parcel of land in which at least one (1) of the additional following conditions exist:

- (1) any condition which poses a serious or immediate danger to the health or safety of any citizen of the community;
- (2) lacking adequate maintenance, including but not limited to, missing or boarded windows or doors; rotting or missing portions of walls, roof or floor; missing portions of siding or other exterior covering; fire damage to structure; garbage accumulation on property; abandoned cars on property;
- (3) property has been cited for more than two code violations in the past which have not been corrected, or a less than a good faith effort has been made to correct said code violations;
- (4) property has become a place where criminal activity has taken place as documented by Police Department reports.
- (5) fire hazards exist on the property as determined by the Fire Marshall.

Disabled individual – shall mean, in the case of an owner occupied residence, an individual who has a disability meeting the definitions for mental or physical disability as defined under the Americans with Disabilities Act of 1990, and does not have other household members capable of providing the maintenance necessary to abate blight.

Elderly individual – shall mean an individual over the age of sixty five (65), who does not have a household member capable of providing the maintenance necessary to abate blight.

Low Income individual – shall mean, in the case of an owner occupied residence, an individual, or a family unit, that has an income below the highest level of income

established by the State of Connecticut's Elderly Tax Relief Program. This level is in the upper limit of step 5 as set forth in the Connecticut General Statutes section 12-170aa(c). It is immaterial that a person is or is not elderly for purposes of this definition.

Prohibition against creating or maintaining blighted premises.

No owner of real property within the City of Norwalk shall cause or allow a property to be blighted, nor shall an owner allow the continued existence of a blighted property.

List of blighted properties.

The Blight Officer shall request that all City department heads notify him/her of any blighted properties that they or their inspectors are aware of. The Blight Officer shall maintain a list of alleged blighted properties and shall perform his/her own inspection of the property or request that the appropriate code enforcement inspector perform an inspection, make a written finding of blight conditions to the Blight Officer and submit that report and pictures of the blight conditions to the Blight Officer. The Blight Officer shall keep a file on each property and shall cite the property owner if he/she makes an independent finding of blight.

Enforcement and hearings.

The Blight Officer shall issue a notice of violation to the property owner of any property where he/she makes a finding of blight. Said notice of violation shall detail each finding of blight and the corrective action necessary. Said notice of violation shall allow the property owner 15-30 days to correct the blighted conditions.

If the property owner does not cure the blight conditions within the 15-30 days (or longer) period stated within the notice of violation, the Blight Officer shall issue a citation to the property owner. Said citation shall be issued no sooner than 15 days after the deadline to cure blight conditions stated in the notice of violation. The citation shall assess a fine of two hundred and fifty (\$250) per day for every day the violation continues. Any unpaid fine pursuant to this ordinance shall constitute a lien upon the real estate against which the fine was imposed in accordance with Connecticut General Statutes section 7-148aa. Each such lien shall be continued, recorded and released in accordance with Connecticut General Statutes section 7-148aa.

The Mayor shall appoint one or more citation hearing officers subject to confirmation by the Common Council, other than police officers, City employees, or the Blight Officer, to conduct citation appeal hearings. Any person who receives a citation for blight shall be

entitled to an appeal hearing, if requested within ten (10) days of receipt of the citation. Each citation shall include instructions to the property on the procedure to appeal. If no appeal is taken within ten (10) days of the date of the citation, the property owner shall be required to cure the blight conditions alleged against him/her and to pay the full amount of the citation.

The citation hearing officer shall be responsible for holding a hearing within a reasonable time following the request of the property for an appeal hearing. The citation hearing officer shall hear testimony from the cited property owner as well as testimony from the Blight Officer. The citation hearing officer shall also consider any evidence submitted at the hearing as well as any contents from the Blight Officer's file. The citation hearing officer shall issue a brief written decision within thirty (30) days following the appeal hearing. This decision shall be mailed to the property owner. Any daily fines or penalties are stayed for forty (40) days following the citation appeal hearing.

Abatement of blight.

When a property owner is issued a notice of violation and a citation, and does not cure the blighted conditions within thirty (30) days of the issuance of the citation, the City of Norwalk shall cure the blighted conditions. The costs of the City to correct the blighted conditions shall be included in the lien against the real estate.

Special Consideration.

Special consideration shall be given to individuals that are elderly, disabled or have a low income. In such cases, the Blight Officer shall give said individuals adequate time to correct the blight conditions.