

Town of North Canaan  
Blight and Unregistered Motor Vehicle  
Committee Thursday July 25th, 2019 6pm  
North Canaan Town Hall  
100 Pease Street, North Canaan CT  
Committee Members: Christian Allyn (Chair)  
Bunny McGuire, Joe Webb  
Not Present: John Considine

The meeting was called to order at 6:08pm.. Bunny made a motion to approve the minutes of the April 25th meeting. Joe Webb seconded the motion and the motion passed unanimously.

Christian presented the following suggestions from the Town Attorney:

- Any combination of two of the items described in 2D are required to have a property considered an abandoned premises.
- Violations in 2C, be such that the persistent violations pose an unreasonable risk of danger.
- The fine should be changed to a civil penalty and such civil penalty be increased to \$100/day in violation so as to become a serious economic disincentive and that, before municipal remediation occur, a court order be secured.
- The Town Attorney offered to edit to refine the Notice of Violation aspect.

A motion was made by Joe to approve of the changes suggested by the Town Attorney, allow the Town Attorney to edit and refine the Abandoned Premises Ordinance and send a final draft of both the Abandoned Premises Ordinance and Abandoned Motor Vehicle Ordinance to the chair. After receiving the final draft of the Abandoned Premises Ordinance and Abandoned Motor Vehicle Ordinance the chair will send said final draft to the Blight and Unregistered Motor Vehicle Committee via email. If there is no requests to change either ordinance by a committee member within 48 hours both the Abandoned Premises Ordinance and Abandoned Motor Vehicle Ordinance are approved by the Blight and Unregistered Committee by default and therefore authorized by the Blight and Unregistered Motor Vehicle Committee to go before a town meeting. If there is a request to change either ordinance by a committee member a committee

meeting will be called within 48 hours. This motion was seconded by Bunny. Motion passed unanimously.

A motion was made by Joe that the Blight and Unregistered Motor Vehicle Committee requests the Board of Selectmen to put on the agenda of the town meeting where the Abandoned Premises Ordinance and Abandoned Motor Vehicle Ordinance are to be discussed and voted upon a separate agenda item which would call for a motion to disband the Blight and Unregistered Motor Vehicle Committee in contingent that both the Abandoned Premises Ordinance and Abandoned Motor Vehicle Ordinance are approved at the town meeting. Bunny seconded the motion. Motion Passed Unanimously.

Bunny made a motion to adjourn the meeting. Joe seconded. Motion passed unanimously.

Meeting adjourned at 6:37pm.

Respectfully Submitted,  
Christian Allyn

## Minutes

Town of North Canaan  
Blight and Unregistered Motor Vehicle Committee  
Thursday February 27th, 2019 6pm  
North Canaan Town Hall  
100 Pease Street, North Canaan CT  
Committee Members: Christian Allyn (Chair), John Considine  
(Absent), Bunny McGuire, Joe Webb

The meeting was called to order at 6:00pm. Joe made a motion to approve the minutes of the July 25th, 2019 meeting. Bunny seconded the motion and the motion passed unanimously.

Bunny made a motion to amend the agenda to change the 'North Canaan Blight Ordinance' to 'Abandoned Premises Ordinance' and 'North Canaan Unregistered Motor Vehicle Ordinance' to 'Abandoned Motor Vehicle Ordinance' throughout the agenda. Joe seconded the motion and the motion passed unanimously.

Public Comment- No members of the public spoke.

The Town Attorney suggested the committee change in the Abandoned Premises Ordinance to change 2.D. from, "any one of the following factors:" to, "any two of the following factors and that we change 3.A. from, "Assessed a fine of \$20 a day" to, "Assessed a civil penalty of \$100 a day".

A motion was made by Bunny to amend the Abandoned Premises Ordinance as suggested by the Town Attorney as a final draft of the abandoned premises ordinance as well as approve the final draft of the Abandoned Motor Vehicle Ordinance as presented. The motion was seconded by Joe and passed unanimously.

A motion was made by Joe to bring both the Abandoned Premisis Ordinance and the Abandoned Motor Vehicle Ordinance to the 2020 Annual Town Meeting. Motion was seconded by Bunny and passed unanimously.

A motion was made by Bunny to request that any vested authority of the Town of North Canaan, continue the Blight and Unregistered Motor Vehicle Committee until July 1st, 2021. The motion was seconded by Joe. Bunny made the motion with the suggestion that the committee may need to amend the ordinance. The motion passed unanimously.

Bunny made a motion to adjourn the meeting at 6:07pm. Joe seconded and the motion passed unanimously.

## **Abandoned Premises Ordinance**

### **1. Purpose**

To define, prohibit and abate abandoned premises, to protect and promote public health, safety and welfare, and to preserve and protect values in a just, equitable and practicable method in the Town of North Canaan.

### **2. Definition of Abandoned Premises**

Any building, structure or premises which is unoccupied or occupied by unauthorized persons, and where one or more of the following conditions exist:

- A. It has been determined by the Building Official, Fire Marshal, Health Department or Zoning Enforcement Officer, or other appropriate official as designated by the Board of Selectmen, that a condition exists that poses a serious or immediate threat to the health, safety or general welfare of the occupants or other persons in the Town
- B. The property is being used for illegal purposes or is attracting illegal activity due to its state of disrepair or dilapidation.
- C. There have been persistent occurrences of any of the following: violations of building, fire, zoning, or health codes which pose an unreasonable risk of danger to any individual.
- D. The property is not being adequately maintained as evidenced by any two of the following factors:
  - 1) Buildings or structures are unsecured
  - 2) Missing, broken or boarded up windows or doors
  - 3) Collapsing or missing walls and or roof
  - 4) Seriously damaged or missing siding
  - 5) Unrepaired water or fire damage
  - 6) Rodent harborage and/or infestation
  - 7) Persistent debris, rubbish, garbage or accumulating refuse on the property
  - 8) Parking lots left in a state of disrepair or abandonment
  - 9) Overgrown brush, shrubs, weeds and or grass in the yard surrounding the dwelling or other buildings – exception: failure to regularly mow one's lawn in and of itself is not considered an abandoned premises condition

### **3. Administrative Process**

Upon observance of abandoned premises or upon receipt of a written complaint of abandoned premises to the Authority Having Jurisdiction (AHJ), an investigation will be conducted by the AHJ in collaboration with the appropriate Town Officials, within 30 days.

If it appears that there is a violation of the Abandoned Properties Ordinance, the AHJ will contact the property owner, notifying him/her of the violation by written letter sent by certified mail, return receipt requested, as well as by regular mail. A list of non-profit organizations which may be able to assist the property owner in addressing the violation must accompany the letter to the property owner.

Within 30 days of receipt, the property owner must contact the AHJ to schedule an inspection and make progress towards compliance with this ordinance. If the property owner fails to do so, a Complaint Data Sheet will be forwarded to the Board of Selectmen with a certified copy mailed at the same time notifying the property owner.

The Board of Selectmen shall schedule a hearing with the property owner within 30 days from the date the Complaint Data Sheet was mailed, to attempt a resolution of the matter prior to enforcement.

Special consideration may be given to property owners who are elderly, disabled, hospitalized, or on active military duty who demonstrate that the violation results from their inability to maintain the property and that no person occupying the property can do so.

### **3. Enforcement**

If the Board of Selectman is unable to resolve the matter and determines that a violation of this ordinance exists, the property owner may be:

- A. Assessed a civil penalty of \$100/day to be collected by the Town of North Canaan; and/or
- B. Required to abate the violation at the property owner's expense; and/or
- C. Subject to the Town's remediation of the violation and assessment of a lien on the subject property for the costs of said remediation subject to statutory requirements of CGS 7-148.

Any fine or penalty levied shall be subject to the Town's Citation Hearing Procedure adopted pursuant to Section 7-152 of the Connecticut General Statutes.

History: . Voted: . Published: . Effective: .

Final Draft

Approved by the Blight and Unregistered Motor Vehicle Committee on February 27th, 2020.

The Board of Selectmen shall schedule a hearing with the property owner within 30 days from the date the Complaint Data Sheet was mailed, to attempt a resolution of the matter prior to enforcement. The resulting ruling will determine if and when the next steps of enforcement shall begin.

**4. Enforcement:** The process of enforcement shall then proceed in accordance with Section 14- 150 of the Connecticut General Statutes. (Copy attached)

*History: Voted: . Published: . Effective: .*

*\*\* Note: Please see Public Act 17-79 for additional information about Abandoned Vehicle.*

Final Draft

Approved by the Blight and Unregistered Motor Vehicle Committee on February 27th, 2020.