

WHEREAS, The Board of Aldermen of the City of Waterbury, finds that the identification and knowledge of the whereabouts of nonresident owners of residential rental housing units located within the City of Waterbury is in the best interest of the community and will promote the public health, welfare and safety of the residents of Waterbury does, therefore, hereby approve and adopt the following amendment to the City of Waterbury Code of Ordinances;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WATERBURY:

The following Chapter 160, entitled "Landlord Registration Ordinance", is hereby approved and adopted:

LANDLORD REGISTRATION ORDINANCE

§ 160.01 Title.

This Ordinance shall be known and may be referred to as the "Landlord Registration Ordinance."

§ 160.02 Legislative Authority.

This Landlord Registration Ordinance is enacted pursuant to the provisions of Connecticut General Statutes sections 47a-6a, 47a-6b, and 7-148.

§ 160.03 Findings and Purpose.

The Board of Aldermen of City of Waterbury finds that the identification and knowledge of the whereabouts of nonresident owners of residential rental housing units located within the City of Waterbury is in the best interest of the community and will promote the public health, welfare, and safety of the residents of Waterbury. Accordingly, by enacting the Landlord Registration Ordinance, the City of Waterbury seeks to better protect, preserve and promote the health, safety, welfare and quality of life of its residents by requiring nonresident owners of residential rental housing units located within Waterbury to comply with this Ordinance.

§ 160.04 Definitions.

The definitions found in Connecticut General Statutes section 47-6a(a), as amended from time to time, shall apply to the terms of this Landlord Registration Ordinance. In addition to such statutory definitions, the following shall apply:

(A) "Nonresident Owner" shall mean any owner of the property at an address, as defined herein, who does not reside at such address.

(B) "Resident Owner" shall mean any owner of the property at an address, as defined herein, who currently resides at such property, which is owned by her or him.

(C) "Town Clerk" shall mean the Town Clerk of the City of Waterbury.

§ 160.05 Applicability.

This Ordinance shall apply to all occupied or vacant residential rental real property within the City of Waterbury. Such property that is owned by the State of Connecticut shall be exempt, unless the property is occupied or operated by an entity leasing real property from the State of Connecticut.

§ 160.06 Required Registration.

(A) By October 1, 2012, any nonresident owner of an existing occupied or vacant residential rental real property or dwelling unit shall be required to file, and to maintain on file, with the Town Clerk the current residential address of the nonresident owner of such property, if the owner is an individual. If a nonresident owner is a corporation, partnership, trust or other legally recognized entity then the nonresident owner shall be required to file, and to maintain on file, with the Town Clerk the current residential address of the agent in charge of the property or dwelling unit, hereinafter referred to as the agent in charge.

(B) If the residential address of a nonresident owner or agent in charge filed with the Town Clerk in accordance § 160.06(A) above changes for any reason, the nonresident owner shall be required to file notice of the new residential address of the nonresident owner or agent in charge with the Town Clerk not more than thirty (30) days after the date that the address change occurred.

(C) On or after October 2, 2012 each such nonresident owner shall pay a fee of \$25.00 for each initial registration and a maximum registration fee for all properties per non-resident owner of \$50.00. Each notice of residential address change shall be \$10.00 with a maximum change of address fee being \$20 per non-resident owner.

(D) If any nonresident owner fails to maintain on file an address as required by this section, the address to which the City mails property tax bills for the residential rental property or dwelling unit shall be deemed to be the nonresident owner's current address. Such address may be used for compliance with the provisions of subsection E of this section.

(E) Proof of service of state or municipal orders relating to maintenance of any such residential rental real property or dwelling unit or compliance with state law and local codes concerning such residential rental real property directed to the nonresident owner or agent in charge at the address on file with the Town Clerk, or to the address deemed to be the current address of the nonresident owner or agent in charge pursuant to § 160.06(D) above, shall be sufficient proof of service of notice of such orders in any subsequent criminal or civil action against the nonresident owner or agent in charge for failure to comply with the orders.

(F) Any person who violates any provision of this section shall be deemed to have violated the provisions of Connecticut General Statutes sections 47a-6a and shall have committed an infraction.

§ 160.07 Penalties.

(A) As provided in Connecticut General Statutes sections 47a-6a and 47a-6b, any nonresident owner who violates any provision of this Landlord Registration Ordinance shall be assessed a civil penalty of not more than \$250.00 for the first violation and not more than \$1,000.00 for any subsequent violation.

(B) The City of Waterbury shall send notice of the assessment to the nonresident owner or agent in charge of the property that is the subject of the violation.

(C) Any person who is assessed a civil penalty pursuant to this section may appeal therefrom to the Superior Court. An appeal shall be instituted not later than thirty days after the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at the Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

§ 160.08 Severability of Provisions.

Should any court of competent jurisdiction declare any section or clause or provision of this Landlord Registration Ordinance to be unconstitutional or ultra vires, such decision shall affect only such particular section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this Ordinance.

§ 160.09 Construction.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

§ 160.10 Effective Date: