

CITY OF WATERBURY CODE OF ORDINANCES §§ 150.64 – 150.65

AS AMENDED JUNE 10, 2024

§ 150.64 BLIGHTED PREMISES PROHIBITED; NOTICE TO OWNER AND OCCUPANT; MUNICIPALITY AUTHORIZED TO REMEDIATE BLIGHTED CONDITIONS WITHOUT CONSENT.

(A) Within the City of Waterbury, all owners of real property and tenants shall maintain their property so that the property is not blighted, as defined by this Code of Ordinances. No such owner or tenant shall allow, create, maintain or cause to be created or maintained any blighted property.

(B) Whenever the City of Waterbury identifies a blighted premises, written notice of the violation shall be given to the owner and/or the occupant of the property, by posting a notice of the violation in a conspicuous location at the blighted premises, and delivering a copy of the notice of the violation to an owner, either in hand or by mail. Said notice shall specify that the owner or occupant has five days, or two days if the violation is based on Waterbury Code of Ordinances § 150.63 (8), from the date notice was posted and mailed, to remediate the blighted conditions, or the City will take enforcement action.

(C) After the expiration of the period specified in division (B) above, the City of Waterbury, through its designated agents, may enter blighted premises during reasonable hours for the purpose of remediating blighted conditions, except that the City may take immediate enforcement action in the case of a violation at a property that is the third or more such blight violation at such property during the prior twelve-month period. For the sole purpose of determining if a violation is the third or more such violation at such property during the prior twelve-month period, “violation” means a violation of § 150.64 (A) for which the City has issued a notice of violation and, (i) in the determination of the City the conditions creating such violation were previously cured; or (ii) one hundred twenty days have passed from the notice of violation and the conditions creating such violation have not been cured. Notwithstanding the foregoing, neither the City of Waterbury, nor its designated agents, may enter any dwelling house or structure on such property.

§ 150.65 CRIMINAL VIOLATION AND CIVIL PENALTIES

(A) Pursuant to Conn. Gen. Stat. § 7-148(c)(7)(H)(xv), any person or entity who, after written notice and a reasonable opportunity to remediate blighted conditions as

specified in § 150.64(B) of this code, willfully violates § 150.64(A) of this code, may be fined by the State of Connecticut not more than \$250 for each day for which it can be shown, based upon an actual inspection of the property on each such day, the blighted conditions continued to exist after written notice to the owner or occupant, as provided in § 150.64(B) of this code. This section is designated as a violation pursuant to Conn. Gen. Stat. § 53a-27.

(1) No person or entity shall be both found guilty of a violation pursuant to division (A) above, and assessed a civil penalty pursuant to division (B) below, for the same occurrence.

(2) Any person who is a new owner or occupant shall, upon request, be granted a 30-day extension of the notice and opportunity to remediate, provided pursuant to § 150.64(B) of this code, prior to imposition of a fine; if the blight is remediated during said extension, the case shall be dismissed. For purposes of this section, **NEW OWNER** means any person or entity who has taken title to a property within 30 days of the notice, and **NEW OCCUPANT** means any person who has taken occupancy of a property within 30 days of the notice.

(B) Any person or entity who fails to comply with § 150.64(A) of this code, and, thereafter, fails to remediate the conditions that render the premises a “blighted premises” within the period provided pursuant to § 150.64(B) of this code may be assessed a civil penalty for each building, structure or parcel of land in violation of § 150.64(A) of this code. The amount of the civil penalties shall be as set forth in the schedule of fees and charges in the Annual Budget, pursuant to City of Waterbury Ordinance § 41.11, but in no event shall the civil penalty exceed the maximum amount provided in Conn. Gen. Stat. § 7-148(c)(7)(H)(xv). Each day a building, structure or parcel of land remains in violation of § 150.64(A) of this code shall constitute grounds for the assessment of a separate civil penalty. The issuing officer shall deliver notice of the civil penalty, either in hand or by mail, to the owner or occupant responsible for the blighted premises.

(1) Penalties assessed pursuant to division (B) above shall be enforceable by citation pursuant to Conn. Gen. Stat. § 7-152c.

(2) Persons or entities assessed a penalty pursuant to division (B) above shall remit fines for said violation within 30 days of the mailing of notice thereof. The

fine imposed shall be payable to the City of Waterbury. Uncontested payments received pursuant to this division shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the person or entity making the payment.