

OFFICE OF THE CITY CLERK
HARTFORD, CONNECTICUT

PUBLIC HEARING NOTICE
HARTFORD MUNICIPAL BUILDING 550 MAIN STREET
TUESDAY FEBRUARY 21, 2017
7:00p.m.

Councilpersons; Gale, Jennings, Sánchez, Thames and Winch will represent the Council at a Public Hearing to be held in the Council Chambers of the Municipal Building at 7:00 P.M., Tuesday February 21, 2017.

1. **ORDINANCE AMENDING CHAPTER 21, SECTION 21-15 CONCERNING EXTENDED HOURS CONVENIENCE STORE SECURITY. (MAJORITY LEADER CONCEPCION)**

Referred to the Quality of Life and Public Safety Committee

2. **ORDINANCE AMENDING CHAPTER 2 ADDING A NEW SUBSECTION C TO SECTION 2-178 ESTABLISHING A POET LAUREATE OF THE MUNICIPAL CODE. (ASSISTANT MAJORITY LEADER GALE)**

Referred to the Legislative Affairs Committee

3. **ORDINANCE AMENDING CHAPTER 22, SECTION 22-25 CONCERNING PARKING VIOLATION NOTICES OF THE MUNICIPAL CODE.**

Referred to the Quality of Life and Public Safety Committee

4. **ORDINANCE AMENDING CHAPTER 10, ARTICLE III, SECTIONS 10-37 AND 10-38 CONCERNING RESIDENTS PARKING PERMITS OF THE MUNICIPAL CODE.**

Referred to the Quality of Life and Public Safety Committee

5. **ORDINANCE AMENDING CHAPTER 1 SECTION 1-5 CONCERNING HEARING PROCEDURE FOR CITATIONS OF THE MUNICIPAL CODE.**

Referred to the Planning, Economic Development, and Housing Committee

6. **ORDINANCE AMENDING CHAPTER 9 ARTICLE V. CONCERNING ANTI-BLIGHT PROGRAM OF THE MUNICIPAL CODE.**

Referred to the Planning, Economic Development, and Housing Committee

7. **ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING 22 MILLION OF TAX ANTICIPATION NOTES OF THE CITY OF HARTFORD.**

Referred to the Operations, Management, Budget and Government Accountability Committee

Attest:

John V. Bazzano
City Clerk

For more information on committee meeting date please contact the following:

- A regular meeting of the Operations, Management, Budget and Government Accountability Committee will be held on the third Monday of each month at 5:30 P.M. in the Council Chambers.

Carolynn Harris (860) 757-9570
Carolynn.Harris@hartford.gov

- A regular **Planning, Economic Development and Housing Committee** meeting will be held on the first Tuesday of each month at 6:00 P.M. in the Council Chambers.

Jessica Inacio 860-757-9737
Jessica.Inacio@hartford.gov

- A regular **Quality of Life and Public Safety Committee** meeting will be held on the third Tuesday of each month at 5:30 P.M. in the Council Chambers.

Kevin L. Murray 860-757-9563
Kevin.murray@hartford.gov

Kristen Squillante 860-757-9567
kristen.squillante@hartford.gov

- A regular **Legislative Affairs Committee** meeting will be held on the second Wednesday of each month at 5:30 P.M. in the Council Chambers.

Jessica Inacio 860-757-9737
Jessica.Inacio@hartford.gov

Introduced
by:

HEADING
AND
PURPOSE

Majority Leader Julio A. Concepción

ITEM #

ON AGENT

AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-15 OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD
January 23, 2017

Be it ordained by the Court of Common Council of the City of Hartford that Section 21-15 of the Municipal Code of Hartford be amended as follows.

Sec. 21-15. - Extended hours convenience store security.

- (a) Every extended hours convenience store shall be equipped with the following security devices and standards:
- (1) A fully operative security camera system in place with at least two (2) cameras that are capable of recording and retrieving an image to assist in offender identification and apprehension. At least one camera shall be positioned to record the main entrance/exit area and another camera shall be positioned to record the parking lot area or other area assigned for customer parking.
 - (2) A drop safe or cash management device for restricted access to cash receipts.
 - (3) A lighted parking lot illuminated at an intensity of at least two (2) foot-candles per square foot at eighteen (18) inches above the surface, if applicable.
 - (4) A conspicuous notice at the entrance which states that the cash register contains fifty dollars (\$50.00) or less.
 - (5) Window signage that allows a clear and unobstructed view from outside the building and in a normal line of sight of the cash register and sales transaction area.
 - (6) Height markers at the entrance of the extended hours convenience store which display height measures.
 - (7) A cash management policy to limit the cash on hand at all times.
- (b) An extended hours convenience store shall not have window tinting that reduces exterior or interior view in the normal line of sight.
- (c) Every extended hours convenience store shall be equipped with a silent alarm to a central station alarm monitoring company.

This Ordinance shall be effective six months after passage.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



January 23, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Poet Laureate

Dear Council President Clarke:

Attached for your consideration is an ordinance creating a Poet Laureate position in the City of Hartford. A committee, as established in the ordinance, will seek applications and make a recommendation to the Court of Common Council, who will in turn appoint the individual as the Poet Laureate for the designated term.

As Hartford continues to face tough economic times, we continue to seek alternative sources of funding that allow the City to provide services that enrich the culture of the community when the City must focus its funds elsewhere. We are very thankful for the Betty Knox Foundation which, along with Hartford Performs, will be providing a \$1000 stipend to the Poet Laureate. This funding will not only provide for a Poet Laureate to celebrate and promote poetry throughout the City; we also hope that it will increase the access of Hartford Public School students to this form of artwork.

We are very pleased that these funders have seen the value of a Poet Laureate for the City of Hartford and have committed themselves to working with us to bring them to fruition.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Q. Gale", is written over a horizontal line.

Assistant Majority Leader, John Q. Gale

Introduced
by:

Assistant Majority Leader John Q. Gale

HEADING
AND
PURPOSE

AN ORDINANCE ESTABLISHING A POET LAUREATE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD
January 23, 2017

Be it ordained by the Court of Common Council of the City of Hartford that Chapter 2 of the Municipal Code of Hartford be amended to add a new subsection c to section 2-178. Poet Laureate.

(new) Sec. 2-178c. Poet Laureate established

- 1) **Appointment.** The City hereby establishes the honorary position of poet laureate of Hartford. The poet laureate shall be appointed by the mayor and confirmed by the court of common council. The term of the poet laureate shall be three years from the date of confirmation. Such designation may be renewed, and shall continue until a new poet laureate is confirmed. The poet laureate shall be a resident of Hartford.
- 2) **Selection.** The commission on cultural affairs shall create an application process, establish selection criteria, and convene a selection committee to recommend a poet to the mayor for appointment. The commission on cultural affairs may consult with any person of its choosing in addition to the selection committee to establish such application and criteria. At a minimum, the application must include a letter of interest, a resume, at least 4 examples of the applicant's work, and three professional references. At a minimum, the selection committee shall consist of at least one person selected by the mayor, at least one member of the court of common council or appointed by the court of common council, at least two people with a demonstrated expertise in poetry or literature who reside in the City of Hartford, and representatives of any funding source for a stipend for the poet laureate. The selection committee shall review all applications, may interview the candidates, and shall forward a selection to the mayor for appointment.
- 3) **Duties.** The responsibilities of the poet laureate shall include, but not be limited to, providing public poetry readings, appearing at public events, encouraging poetry appreciation within the city, and composing and publishing poems. The poet laureate shall promote awareness and appreciation of poetry, spoken word, and writing; shall work with the Hartford Public Library and local schools to promote creative learning through poetry and shall endeavor to instill pride in the community.

This Ordinance shall be effective upon passage.



Luke A. Bronin
Mayor

RECEIVED 3 ON 1/17/17

February 14, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Parking Violation Notices: Section 22-25

Dear Council President Clarke:

Attached for your consideration is an ordinance amending Section 22-25 of the Municipal Code in order to conform this section with amendments recently made to Section 22-42 of the Code.

On September 12, 2016, Council adopted amendments to Section 22-42 of the Code pertaining to the immobilization of vehicles. The amendment in the attached ordinance aligns the content of the parking violation notices used by the Hartford Parking Authority to changes already made in Section 22-42.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by:

Luke A. Bronin, Mayor

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 22, SECTION 25 OF THE HARTFORD
MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 14, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 22, Section 25, of the Municipal Code of the City of Hartford be amended as follows:

Sec. 22-25. - Notice to be attached to violating vehicles; penalty.

(a) Whenever any vehicle is found parked in violation of any of the provisions of this article or any ordinance or rule or regulation of the traffic or parking authority which relates to parking, a police officer, parking controller or parking enforcement officer shall attach to such vehicle a notice to the owner or operator thereof stating that such vehicle has been parked unlawfully.

(b) The notice shall state which provision of the city ordinances or rule and regulation of the traffic or parking authority has been violated and shall moreover, contain the following declaration:

"WARNING"

"The accumulation of [five (5)] three (3) or more unsatisfied municipal vehicle parking citations upon any vehicle registrant [one (1) vehicle] may result in the impoundment or immobilization of said vehicle."

A copy of any such notice shall be transmitted and delivered to the parking authority within three (3) business days of the time of such attachment. Failure of any copy to be so transmitted and delivered shall not relieve the owner or operator from any liability for the payment of any fines or penalties, except that no penalties shall be imposed until after a citation hearing has been scheduled and the owner or operator fails to appear at the same. Upon such failure, imposition of such penalties may be implemented on a retroactive basis.

(c) Each owner or operator may, within seventy-two (72) hours or three (3) business days of the time when such notice is attached to such vehicle, pay in person in the form of cash, money order or check to the parking authority, in full satisfaction for such violation; provided, if the citations are for over the posted limit or over the limit at a meter, such owner or operator shall receive a five dollar (\$5.00) reduction in the amount of the stated fines for each such citation. Each such owner or operator may, within fourteen (14) days of the time when such notice is attached to such vehicle, pay in person or remit by mail in the form of cash, money order or check to the parking authority, as a fine for and in full satisfaction of such violation, the sum of twenty-five dollars (\$25.00), thirty

dollars (\$30.00), forty-five dollars (\$45.00), seventy-five dollars (\$75.00), ninety-nine dollars (\$99.00) or one hundred twenty-five dollars (\$125.00), as the case may be, in accordance with section 22-26. The failure of the owner or operator to make payment to the parking authority within the fourteen (14) days of the time such notice is attached to such vehicle shall cause the parking authority to mail a letter setting forth a date such owner or operator shall appear at a citation hearing. The failure of such owner or operator to appear at such citation hearing or to make such payment within twenty-six (26) days of the time such notice is so attached shall render the owner or operator liable to an initial penalty as provided in section 22-26. The failure of such owner or operator to make such payment within thirty-one (31) days of the time such notice is so attached shall render the owner or operator liable to an additional penalty as provided in section 22-26.

(d) If an owner or operator wishes to contest a violation, no reduction in the amount of the fine, as set forth in subsection (c), will apply. The owner or operator may contest the violation by appearing at the citation hearing. Such appearance shall suspend the accumulation of additional penalties and leave the amount of the fine as it was as of the date of the hearing until such time as a final determination is made.

(e) Nothing contained in this section shall be construed as a limitation on the power of the superior court to impose a fine as provided in section 1-4.

(f) For purposes of this section, the term "*business days*" shall mean those days on which the city hall offices of the City of Hartford, Connecticut are open for business, and the term "*days*" shall mean calendar days.

This ordinance shall take effect upon adoption.



Luke A. Bronin
Mayor

ITEM# 4 ON AGENDA

February 14, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Resident Parking Zones: Section 10-37 & 10-38

Dear Council President Clarke:

Attached for your consideration is an ordinance amending Sections 10-37 and 10-38 - Resident Parking Permits of the Municipal Code for the following purposes: 1) to add stopping and standing to prohibitions in resident parking zones and 2) to conform these sections with amendments recently made to Section 22-42 of the Code.

The Hartford Parking Authority (HPA) in partnership with various NRZs, created residential parking permit zones to provide parking for residents of a street by preventing non-residents from parking on that street. Non-residents of a street who choose to conduct illicit activities have learned that if they do not leave their vehicle while in a residential parking permit zone they are not parking, and therefore, are not in violation of the provisions found in Code Section 10-37. HPA desires to add the option for no stopping or no standing to the provisions of the ordinance in order to provide HPA and the NRZs additional tools to address this quality of life issue. The first amendment in the attached ordinance makes this change.

On September 12, 2016, Council adopted amendments to Section 22-42 of the Code pertaining to the immobilization of vehicles. The second amendment in the attached ordinance aligns the content of the parking violation notices used by HPA to Section 22-42.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin".

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by:

Luke A. Bronin, Mayor

**HEADING
AND
PURPOSE**

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III OF THE HARTFORD
MUNICIPAL CODE**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 14, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 10, Article III, of the Municipal Code of the City of Hartford be amended as follows:

ARTICLE III. - RESIDENT PARKING PERMITS

Sec. 10-37. - Operational restrictions.

- (a) The only signs, markings or devices that mark a resident parking permit zone will be the traffic authority signs owned, installed and maintained by the city and/or any signs approved by the city in accordance with applicable regulations.
- (b) No person shall stop, stand or park a motor vehicle in any resident parking permit zone [when] where signs, markings or devices are erected or placed giving notice that a resident parking permit zone has been established unless the motor vehicle displays a valid resident parking permit.
- (c) Any permit issued under this section shall not be valid during a declared snow or other emergency, or when parking is restricted within the resident parking permit zone for any public purpose.
- (d) Nothing in this chapter is intended to authorize the parking of motor vehicles contrary to or in violation of any applicable state or local law.

Sec. 10-38. - Notice to be attached to violating vehicle; penalty.

- (a) Whenever any vehicle is found parked in violation of any of the provisions of this article which relates to parking, a police officer, parking controller or parking enforcement officer shall attach to such vehicle a notice to the owner or operator thereof stating that such vehicle has been parked unlawfully.
- (b) The notice shall state which provision of the city ordinances or rule and regulation of the traffic or parking authority has been violated; the date, time and location of the violation; and shall moreover, contain the following declaration:

"WARNING"

"The accumulation of [five (5)] three (3) or more unsatisfied municipal vehicle parking citations upon any vehicle registrant [one (1) vehicle] may result in the impoundment or immobilization of said vehicle."

(c) A copy of any such notice shall be transmitted and delivered to the authority within three (3) business days of the time of such attachment. Failure of any copy to be so transmitted and delivered shall not relieve the owner or operator from any liability for the payment of any fines or penalties, except that no penalties shall be imposed until after a citation hearing has been scheduled and the owner or operator fails to appear at the same. Upon such failure, imposition of such penalties may be implemented on a retroactive basis. A citation hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the notice.

(d) Each owner or operator may, within twenty-six (26) days of the date of the notice, pay in person in the form of cash, money order or check to the authority, the amount of the fine in full satisfaction for such violation. The failure of such owner or operator to appear at such citation hearing or to make such payment within twenty-six (26) days of the time such notice is so attached shall cause the authority to send a letter by first-class mail setting forth the amount of the fine and the additional penalties that may be assessed. The failure of such owner or operator to appear at such citation hearing, or to make such payment within twenty-six (26) days of the time such notice is so attached, shall render the owner or operator liable to an initial penalty as provided in section 10-39. The failure of such owner or operator to make such payment within forty-five (45) days of the time such notice is so attached shall render the owner or operator liable to an additional penalty as provided in section 10-39.

(e) The owner or operator may contest the violation by appearing at the citation hearing. Such appearance shall suspend the accumulation of additional penalties and leave the amount of the fine as it was as of the date of the hearing until such time as a final determination is made.

(f) Nothing contained in this section shall be construed as a limitation on the power of the superior court to impose a fine as provided in section 1-4.

(g) For purposes of this section, the term "business days" shall mean those days on which the City Hall offices of the City of Hartford, Connecticut are open for business, and the term "days" shall mean calendar days.

This ordinance shall take effect upon adoption.



Luke A. Bronin
Mayor

FILE 5 ON 12-11-17

February 14, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Amendments to Section 1-5 of Municipal Code

Dear Council President Clarke:

Attached for your consideration is an ordinance amending Section 1-5 of the Municipal Code – Hearing Procedures for Citations – to allow fines stemming from the Anti-Blight and Property Maintenance Program to be continued as anti-blight liens. This change complements the amendments to the Anti-Blight Code submitted to Council under separate cover.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by:

Luke A. Bronin, Mayor

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 1, SECTION 1-5 OF THE HARTFORD
MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 14, 2017

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 1, Section 1.5 of the Municipal Code of the City of Hartford be amended as follows.

Chapter 1 – GENERAL PROVISIONS

Sec. 1-5. – Hearing procedure for citations.

- (a) *Appointment of citation hearing officers.* There shall be a hearing procedure for citations established in accordance with G.S. § 7-152c. The [city manager] Chief Operating Officer or Corporation Counsel shall appoint one (1) or more persons to act as citation hearing officers to conduct hearings authorized by this section, except that no police officer, member of the corporation counsel's office, employee, or other person who issues citations shall be authorized to conduct hearings.
- (b) *Notice of violation, fines, rights.* Within twelve (12) months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to G.S. § 7-148, and for the violation of any zoning ordinance in Chapter 35 of this Municipal Code, notice shall be sent to the property owner of the alleged violation. Such notice shall inform the owner and other person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs, or fees due; (2) That he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten (10) days of the date thereof; (3) That if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) That such judgment may issue without further notice.
- (c) *Admission of liability.* If the person who is sent notice pursuant to subsection (b) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs, or fees admitted to in person or by mail to the City [of Hartford, Tax Collector, 550 Main Street, Hartford, CT 06103] department that issued the citation. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice provided for in subsection (a) of this section shall be deemed to have admitted liability, and the [city manager] Chief Operating Officer or Corporation Counsel shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs, or fees provided for by the applicable ordinances and shall follow the procedures set forth in this section.

- (d) *Conduct of hearing.* Any person who requests a hearing pursuant to subsection (c) of this section shall be given written notice of the date, time, and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by an interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or police officer shall be filed and retained by the municipality, and shall be deemed to be a business record and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The corporation counsel or his designee shall present evidence on behalf of the city. If the owner or person cited fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If the hearing officer determines that the person is not liable, the matter shall be dismissed and the determination entered in writing accordingly. If the hearing officer determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs, or fees against such person as provided by the applicable ordinances.
- (e) *Notice of assessment.* If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the clerk of the superior court for the Judicial District of Hartford together with an entry fee of eight dollars (\$8.00), against such person in favor of the municipality. Notwithstanding any other provisions, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person. Fines stemming from the Anti-Blight and Property Maintenance Program in Chapter 9, Article V, herein, may be continued as anti-blight liens pursuant to Connecticut General Statutes § 7-148aa.
- (f) *Appeal.* A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal the entry fee for a small claims case in the superior court for the Judicial District of Hartford, which shall entitle such person to a hearing in accordance with the rules of the judges of the superior court.

This ordinance shall be effective upon passage



Luke A. Bronin
Mayor

6-
ONAGE

February 14, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Anti-Blight Amendments

Dear Council President Clarke:

Attached for your consideration is an ordinance revising the City of Hartford's Anti-Blight Ordinance. Also attached is an executive summary of the proposed changes for your review.

The proposed ordinance changes are based on the recommendations of the Blight Working Group and are designed to enhance the City of Hartford's blight-remediation efforts by streamlining the enforcement process and by using City resources more efficiently and effectively. Further, the changes will provide City staff with the resources necessary to take legal action and impose fines and liens against absentee property owners who are willfully neglecting their properties, while reducing the likelihood of legal action and fines being imposed on Hartford residents who are doing their best to maintain their homes and neighborhoods.

Our goal is to increase the quality of life in all of Hartford's neighborhoods through efficient, effective, and equitable enforcement of the City's Anti-Blight & Property Maintenance Ordinance.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Luke A. Bronin".

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by: Luke A. Bronin, Mayor

HEADING
AND
PURPOSE

**AN ORDINANCE AMENDING CHAPTER 9, ARTICLES V AND VI OF THE
HARTFORD MUNICIPAL CODE**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 14, 2017

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 9, Articles V and VI of the Municipal Code of Hartford be amended as follows.

ARTICLE V. – ANTI-BLIGHT AND PROPERTY MAINTENANCE PROGRAM

Sec. 9-90. – Title.

This article and the regulations contained herein are to be known as the “Anti-Blight and Property Maintenance Program,” hereinafter referred to as “this article,” and is enacted and authorized pursuant to Connecticut General Statutes, Section 7-148(c)(7)(H)(xv).

Sec. 9-91. – Definitions.

The following words, terms and phrases, when used in this article, [shall] have the meanings ascribed to them in [this s]-Section 9-98A, except where the context clearly indicates a different meaning.

[Blighted vacant housing] shall mean that class of properties, determined annually pursuant to this article that shall be subject to special assessment and shall consist of the following: (1) dwellings that are and have remained continuously vacant for not less than one hundred twenty (120) days prior to the assessment date and that have not been approved for an assessment deferral pursuant to section 9-98B of this article; (2) underutilized property; (3) uninhabitable dwellings, multiple dwellings, or dwelling units, regardless of the duration of the vacancy, that have not been approved for an assessment deferral pursuant to section 9-98B of this article, and (4) vacant lots as defined by this Section.]

[Blighted premises] means any building, structure, vacant lot or grounds, whether vacant or occupied, in which the Director of Licenses and Inspections, or the Fire Marshal, or the Director of Health and Human Services, or the Chief of Police have verified that at least two (2) of the following conditions exist:

- (1) Exterior windows or doors are broken or missing or are not secured and painted in accordance with subsection 9-98(a) of this article;
- (2) Exterior walls, roofs, stairs, porches, floors or chimneys are damaged, collapsing or deteriorating or permit the interior of the building to be open to the weather;
- (3) Foundation walls are damaged, collapsing, crumbling or contain open cracks or breaks;
- (4) Interior walls, stairs, porches, floors, ceilings, support pillars or beams are damaged, collapsing or deteriorating;
- (5) Exterior additions, including, but not limited to, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts, are damaged, collapsing or deteriorating;

- (6) Fences are broken, deteriorating to the point of decay, are in otherwise dilapidated condition, or are damaged to the extent that they allow access to the property;
- (7) Other conditions exist that reflect a level of maintenance which is not in keeping with community standards, including, but not limited to, graffiti that is clearly visible from the street;
- (8) The premises are attracting illegal activity as evidenced by multiple felony or misdemeanor arrests on the premises; multiple felony or misdemeanor warrants issued or served to a person residing in the premises;
- (9) The property is a fire hazard;
- (10) The property is a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or premises or within the neighborhood as documented and reported to the Director of Licenses and Inspections by neighborhood complaints;
- (11) The property is a menace to the public health, safety, or welfare in its present condition because of rat infestation, overgrown vegetation, trash and garbage, abandoned cars, improper grading, or other factors;
- (12) Extended vacancy of a dwelling, multiple dwelling or mixed commercial use property.]

Dwelling, multiple dwelling and dwelling unit [shall] have the meaning contained in chapter 18, article V, section 18-1 of this Code and [shall] include a dwelling within a commercial property.

[Equivalent amount of space] means the amount of space deemed equivalent to a dwelling unit. Nonresidential space that most recently has been rented as a single unit shall be considered the equivalent of a single dwelling unit. When nonresidential space has not been rented within the two (2) years immediately preceding the serving of a notice of violation, each increment of one thousand five hundred (1,500) square feet or less shall be the equivalent of a dwelling unit for purposes of this article.]

Extended vacancy means a period of sixty (60) days or longer during which a dwelling, dwelling unit, or multiple dwelling subject to this chapter is not legally occupied or one (1) that is uninhabitable, except for the purposes of section 9-98B, reduction in assessment for rehabilitated structures, in which case the period [shall be] is one (1) year. The period [shall] commences from the date the last legal occupant resided in a dwelling unit or other occupied space subject to the provisions of this chapter, except that no part of the period provided for by G.S. § 47-88b (Condominium Act) [shall] will be counted, provided the owner has or is complying with the requirements of section 18-221. "Extended vacancy" [shall] also means that more than twenty (20) percent of the dwelling units in a multiple dwelling or commercial property or more than forty (40) percent of usable floor area of nonresidential space remains unoccupied for longer than sixty (60) days or one (1) year in such multiple dwelling or mixed commercial structures, whichever is applicable.

[Legal occupancy] means the human habitation of a dwelling unit that is legal by virtue of compliance with state building, state fire safety, local zoning, and housing codes, and all other pertinent codes. Legal occupancy must be substantiated by the provision of proof of occupancy as evidenced through a bona fide lease agreement, rent receipt or utility statement.

Neighborhood means an area of the City comprising premises or parcels of land any part of which is within a radius of eight hundred (800) feet of any part of another parcel or lot within the City.

Underutilized property shall mean extended vacancy of any dwelling, multiple dwelling or mixed commercial premises.]

Uninhabitable [shall]-means any structure, building or dwelling unit that is incapable of immediate legal occupancy as defined by this chapter.

Vacant lot means a parcel of land in a residential zone with no intact building structure(s) thereon.

Sec. 9-91A. – Declaration of policy.

There exists within the City of Hartford a large number of properties which are vacant or in blighted condition. The existence of vacant and blighted properties contributes to the overall decline of neighborhoods, which, in turn, affects the health, safety, welfare and economic well-being of Hartford's residents. Many of the vacant and blighted properties can be rehabilitated, reconstructed, demolished, and/or reused so as to provide decent, safe, and sanitary housing and commercial facilities. Such rehabilitation, reconstruction, demolition, and/or reuse will eliminate, remedy, and prevent the adverse conditions described above while increasing revenue to the City of Hartford.

It is further found that there are many instances where property maintenance of real properties in the City of Hartford is deficient or lacking leading to a progressive deterioration of such properties and the creation of blighted conditions. Accordingly, it is in the best interests of the citizens of the City of Hartford that the City set minimum standards for property maintenance so as to assure that properties within the city be maintained in conformity with such standards and so as to assure that none of these structures and properties will deteriorate and adversely affect their surrounding neighborhoods.

It is found and declared that by reason of lack of maintenance and progressive deterioration, certain structures and properties have the further effect of creating blighted conditions and initiating slums, and that if the same are not curtailed and removed, the aforesaid conditions will grow and spread and will necessitate in time the expenditures of large amounts of public funds to correct and eliminate the same. By reason of timely regulations and restrictions, as herein contained, the growth of slums and blight may be prevented and neighborhood and property values may thereby be maintained, the desirability and amenities of residential and nonresidential uses and neighborhoods enhanced, and the public health, safety, and welfare protected and fostered.

Sec. 9-92. – Prohibition on c[re]ating or maintaining anti-blight[ed premises prohibited] violations and/or property maintenance violations.

No person, firm, or corporation, including any owner of [any building] real property in the City of Hartford, [shall] may cause or allow, [create, maintain or permit the continuance of any blighted premises as defined in section 9-9] any such real property or premises to exist or be created or maintained in a manner that constitutes an anti-blight violation and/or a property-maintenance violation as defined in this article.

Sec. 9-93. – Applicability of article; exemptions.

[There shall be no exemptions to the applicability of this article, except as may be otherwise authorized in section 9-101(e) of this article.]

- (a) It is unlawful for any person, firm, corporation, or any owner of real property in the City of Hartford to be in conflict with or in violation of any of the provisions of this article.
- (b) Any building or structure undergoing remodeling, restoration, repair, or renovation under a current building permit, provided that any violations of this article will be corrected thereby and that the building official determines that the work is proceeding in a reasonably expeditious timeframe, is exempt from this article. Repairs, additions, or alterations to a structure, or changes of occupancy, must be done in accordance with all other applicable ordinances and laws. Nothing in this article

shall be construed to cancel, modify, or set aside any provisions of the Hartford Zoning Regulations or the Building Code.

- (c) This article applies to only vacant, unoccupied real property during the first year after it is adopted, or until March 31, 2018, whichever is earlier.

Sec. 9-93A. – Anti-blight violations.

The following conditions existing on any real property within the city constitute anti-blight violations under this article:

- (1) It is becoming dilapidated as documented by the Department of Development Services through inspections showing that two (2) or more property maintenance violations exist on the real property. When two (2) or more property maintenance violations exist on real property, each property maintenance violation must be treated as a separate anti-blight violation.
- (2) It is determined by the building official or by health department reports that existing conditions pose a serious or immediate danger to the community that is life-threatening or poses a health or safety risk to the public.
- (3) It is attracting illegal activity as documented in police department reports.
- (4) It is a fire hazard as determined by the fire marshal, or as documented in fire department reports.
- (5) It constitutes a health or sanitary problem, as determined by the Director of Health and Human Services, or any designee(s) thereof.
- (6) It contains unauthorized storage or accumulation of junk, trash, rubbish, litter, or refuse of any kind; the parking of inoperable vehicles (unless otherwise licensed to do so); or the presence of any inoperable machinery and equipment.
- (7) It is a factor creating a substantial and unreasonable interference with the lawful use and enjoyment of other space within the building, or of other premises within the vicinity of the building, structure, or lot, as documented by complaints or cancellation of insurance on nearby properties.

Sec. 9-93B. – Property maintenance violations.

The following conditions existing on any real property within the City of Hartford constitute property maintenance violations under this article. The existence of two (2) or more property maintenance violations is an anti-blight violation, and each property maintenance violation will be enforced as a separate anti-blight violation when two (2) or more exist on real property.

- (1) Property maintenance violation means a violation of the following standards with respect to lots or parcels:
 - (a) Grading. All premises must be graded, drained, and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon. Drainage systems must divert water away from the property and away from adjacent property lines. All drainage systems should discharge towards the public right-of-way. Approved storm-water management systems are exempt from this section.
 - (b) Shopping Baskets, Carts, and Wagons. No shopping baskets, carts, or wagons may be left unattended or standing, and the baskets, carts, or wagons must be collected as often as necessary and removed to an appropriate enclosure intended for such purpose or to the interior

of the building or buildings from which they were taken.

- (c) Fences. All fences must be maintained. Such maintenance must include, but is not limited to, painting as needed, removal or covering of graffiti, and the replacement or repair of fences, which may become in disrepair.
 - (d) Weeds and Plant Growth. All landscaping must be maintained so that lawns, hedges, bushes, and trees are kept neatly and free from becoming overgrown and unsightly where exposed to public view and where the same may have a tendency to depreciate adjoining property. The maintenance must include, but is not limited to, the replacement of trees and shrubs, which may die or otherwise be destroyed. Grass, weeds, or similar plant growth may not reach a height greater than one (1) foot on any premises, including on the planting strip fronting the premises. Front yards must not be allowed to deteriorate into unattended bare, dirt patches.
 - (e) Walks and Driveways. Steps, walks, driveways, parking spaces, and similar paved areas must be maintained to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist must be filled and necessary repairs and/or replacement accomplished. All off-street parking facilities must be swept as often as necessary in the determination of the Director of Blight Remediation, or any designee(s) thereof.
 - (f) Rodent Harborage. Yards, courts, and vacant lots must be kept clean and free of rodent harborage and infestation.
 - (g) Physical Hazards and Garbage. Yards, courts, and vacant lots must be kept clean and free of physical hazards and must be maintained in a manner that will prevent accumulation of trash, garbage, litter, debris, waste, rubbish, and similar materials. The owner of the property must maintain the premises litter-free.
 - (h) Inoperable Appliances. The owner of the property must maintain the premises free of discarded or inoperative appliances, furnishings, or machinery.
 - (i) Signs. All signs exposed to the public view must be maintained in sound condition. Excessively weathered or faded signs must be removed or restored to sound condition. A non-operative or broken electrical or other sign must be repaired or removed.
 - (j) Trash Receptacles. Trash receptacles must be emptied on a regular basis.
 - (k) Cigarette Disposal. All places of business that serve food or drink to patrons (e.g., restaurants, cafes, bars) must maintain receptacle(s) for the disposal of cigarettes on their premises and must empty the receptacle(s) on a regular basis.
- (2) Property maintenance violations also mean the violation of the following standards with respect to all buildings and structures on real property:
- (a) Exterior Surfaces. All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks, fences, decorative features, and overhang extensions must be maintained so that they are not dilapidated or decaying and not open to the elements and free of graffiti. Exterior wood surfaces, other than decay-resistant woods, must be protected from the elements and decay by painting or other protective covering or treatment. Substantial peeling, flaking, and chipped paint must be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights must be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion must be stabilized and coated to inhibit future rust and

corrosion. Surfaces designed for stabilization by oxidation are exempt from this requirement. Exterior walls must be free from holes, breaks, and loose or rotting materials.

- (b) Exterior Structural Members and Walls. All structural members and walls must be maintained free from deterioration and must be capable of safely supporting the imposed dead and live loads of the structure's legal use and occupancy.
- (c) Exterior Foundation Walls. The foundation walls of every building must be maintained plumb and free from open cracks and breaks and must be kept in such condition so as to prevent the entry of rodents and other pests. Foundations, floors, and walls must be in good painted or finished condition without peeling.
- (d) Roofs, and Openings. Roofs and flashing must be sound, tight, and not have defects that admit rain. Roofs must be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts must be maintained and free from obstructions. Roof water must be discharged in a manner that it does not fall onto adjacent property. Roof tiles, shingles, and any other attachments must be properly attached and kept in good condition.
- (e) Exhaust Vents. Pipes, ducts, conductors, fans, or blowers must not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property.
- (f) Decorative Features. All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features must be maintained with proper anchorage and in a safe condition.
- (g) Overhang Extensions. All overhang extensions including but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts must be properly anchored and maintained in a safe condition.
- (h) Stairways, Handrails, Decks, Porches, and Balconies. Every exterior stairway, handrail, deck, porch, balcony, gallery, and all appurtenances attached thereto must be maintained structurally sound and safe, with proper anchorage and capable of supporting the imposed loads.
- (i) Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances must be maintained structurally sound and safe.
- (j) Windows, Skylights, Door Frames, and Insect Screens. All windows, including skylights, and door frames must be kept in sound condition and weather-tight. All glazing materials must be maintained free from substantial cracks and holes. Boarded windows and doors must comply with Section 9-98 and must not be boarded for more than twelve (12) months. Windows, other than fixed windows, must be operable and capable of being held in position by window hardware. All existing insect screens must be intact, free from holes or breaks, and tightly fitted.
- (k) Rodent Harborage. Buildings and structures must be maintained free of insect, vermin, pigeon, and rodent harborage and infestation.
- (l) Clean and Sanitary Conditions. Buildings and structures must be maintained in a clean and sanitary condition free from health, safety, and fire hazards.
- (m) Storefronts. All storefronts, both occupied and non-occupied, and their walls exposed to public view must be kept in a good state of repair and free of graffiti.
- (n) Interior Structure. All interior walls, stairs, porches, floors, ceilings, support pillars or beams

must be maintained so as not to be damaged, collapsing, or deteriorating.

- (3) Property maintenance violations also include any conditions that unreasonably hinder the use of adjacent properties, block or interfere with the use of the public sidewalk and/or public or private street or right of way, obstruct the sighting of any road sign, obstruct utility lines or other cables to or around the premises, or extend or infringe beyond the boundaries of the premises.
- (4) Property maintenance violations also include situations in which the overall condition of the premises causes an unreasonable impact on the enjoyment of or value of neighboring properties as expressed by persistent complaints from adjoining and nearby property owners.

Sec. 9-94. – Enforcement.

- (a) Administration and enforcement. The Division of Blight Remediation within the Department of Development Services is the agency responsible for the administration and enforcement of this article and the executive official in charge of the Division of Blight Remediation is known as the Director of Blight Remediation. The Mayor appoints the Director of Blight Remediation, and the Director of Blight Remediation has the power to delegate as needed for the enforcement of this article. The Director of Blight Remediation has the power to issues rules and policies needed for the enforcement of this article, subject to review and approval by the Blighted Housing Review Committee. It is the duty of the Division of Blight Remediation to enforce the provisions of this article and any rules or policies promulgated under this article. The Director of Blight Remediation, or any designee(s) thereof, may undertake inspections of complaints for the purpose of documenting violations of this article. The Director of Blight Remediation, or any designee(s) thereof, may order any owner who violates this article to abate such violation, and is hereby authorized and empowered to issue citations for violations of this article. The Director of Blight Remediation, or any designee(s) thereof, is also authorized and empowered to effectuate the removal or abatement of the anti-blight violation and/or property maintenance violation under the procedures set forth in this article.
- (b) Inspections. The Director of Blight Remediation, or any designee(s) thereof, may initiate inspections and investigations and must receive information and complaints concerning anti-blight violations of the provisions of this article. The Division of Blight Remediation must maintain written status reports indicating the number of complaints, violations identified, active and closed cases, and other information as requested by the Mayor, the Court of Common Council, or the Blighted Housing Review Committee.
- (c) Complaint of anti-blight violation. Any individual [affected by the action or inaction of an owner of a dwelling unit or other space subject to the provisions of this article], any civic organization, [and] or any appropriate municipal agency may file in writing a complaint of an anti-blight violation of this article with the [division of licenses and inspections]-Division of Blight Remediation.
- (d) Notice of violation; order to correct; time limit for compliance. If the Director of Blight Remediation [Head of Licenses and Inspections acting himself or by an appropriate inspector or through an inspector or inspectors from any other departments or agencies the Director of Licenses and Inspection deems appropriate,] has reasons to believe, pursuant to an inspection of the premises, that [an owner has violated the provisions] two (2) or more anti-blight violation(s) of this article [by allowing, creating, maintaining, or permitting the continuance of blighted premises as defined in section 9-91] exist, the Director of Blight Remediation or any designee(s) thereof [or Inspector shall] may serve a written notice of violation(s) and an order to correct such violation(s) to the owner's last-known address by certified mail, return-receipt requested, [of record of the property by

first class and certified mail. Each of the conditions that define blighted premises and exist on the premises in question shall be a separate violation of this article and, along with each other violation of the other sections of the Municipal Code, shall be enforced as provided herein.] If the owner's last-known address is the same as the property where the violation has occurred, then a copy of the notice of violation(s) and order to correct may be posted on the property at the time the violations are noted. The notice requirements of this section ~~[shall be]~~ are deemed satisfied upon: (1) in the case of certified mail upon receipt by the City of either a signed confirmation of delivery or the entire letter returned as non-deliverable, or (2) in the case of the owner's address being the same as the address of the property where the violation has occurred, upon leaving a copy of the notice of violation and order to correct at the property at the time the violations are noted. The notice of violation(s) and order to correct ~~[shall]~~ must direct the removal, correction, or abatement of the violation(s) [require the owner to comply with the requirements of this article] in the manner specified in the order within [thirty (30)] ten (10) calendar days [of] after receipt of the notice. [A copy of the order shall be filed with the town clerk, and any subsequent purchaser of the property shall be subject to such order.] Such notice must notify the owner that failure to remove, correct, or abate the violation will result in the issuance of a citation in accordance with this article. Such notice must further notify the owner that failure to remove, correct, or abate the violation will result in fines being imposed that may be enforced subsequently as a lien on the owner's property and may be converted into a court judgment, or the City may cause the removal or abatement of the violation at the expense of the owner, which may likewise result in a lien on the owner's property that may be converted into a court judgment.

- (e) *Failure to correct deficiencies; citation.* If an owner of property has been served with a notice of violation(s) and order to correct [deficiencies,] and has failed to [do so] remove, correct, or abate the violation(s) within [thirty (30)] ten (10) calendar days after receiving a notice of violation and order to correct, as determined upon subsequent inspection, then the owner [shall] may be presumed to be in violation of this article for every day thereafter until the owner submits appropriate evidence that the violations have been corrected.

- (1) [Any new owner or new occupant shall, upon request, be granted a thirty-day extension of the notice and opportunity to remediate provided pursuant to subsection (b) of this section. For the purposes of this section, "new owner" means any person or entity who has taken title to a property within thirty (30) days of the notice, and "new occupant" means any person who has taken occupancy of a property within thirty (30) days of the notice.] However, if the owner, within that ten (10) day period, demonstrates to the City that the owner intends in good faith to rehabilitate or demolish the premises, or that the violation has occurred as a result of a casualty loss for which insurance is available but the owner needs additional time to remove, correct, or abate the violation, then the Director of Blight Remediation, or any designee(s) thereof, in his/her discretion, may issue a written stay of the enforcement of the citation and the enforcement of any fines imposed against the owner. Any stay is expressly conditioned upon the rehabilitation or demolition of the premises within a specified period of time not to exceed thirty (30) days, unless the owner requests an extension of time in writing to the Blighted Housing Review Committee, within the time specified in the stay and demonstrates that work to remove, correct, or abate the violation(s) is progressing in good faith. The Blighted Housing Review Committee may grant an extension up to sixty (60) days. The owner may request additional extensions up to sixty (60) days each. If the conditions of the stay have not been met within the specified time period, or the time period as it may be extended, the stay will be terminated and all fines assessed against the owner will be enforced against the owner in accordance with this article, with daily fines accruing from the date of the citation before the

grant of any stay.

- (2) [At this time t] The Division of [Licenses and Inspection] Blight Remediation [shall cause the owner to be] may issue a citation against the owner(s) assess[ed]ing a civil penalty[in the sum] of one hundred dollars (\$100.00) per day, or the maximum authorized by Connecticut General Statutes § 7-148(c)(7)(H)(xv) or other state statutes or the Municipal Code, for each [separate blighting condition as described in the definition of blighted premises and each other] violation of[the Municipal Code] this article that persists beyond [thirty (30)] ten (10) calendar days from the effective date of the notice of violation and order to correct until the owner presents appropriate evidence that the cited violations have been corrected and the premises have been re-inspected.
- (3) Any citation issued pursuant to this article must be served upon the owner by mailing the citation the owner's last-known address by certified mail, return receipt requested and by posting the citation in a visible manner on the subject property. A copy of the citation must be filed with the town clerk, and any subsequent purchaser of the property will be subject to such order. The citation must provide the owner with the following information:
- (i) The allegations made against the property and the amount of the proposed fines per day of continued violation of the ordinance;
 - (ii) That the owner(s) may contest their liability before the city's duly appointed hearing officer by requesting an appeal pursuant to Section 9-95 of this article, "Citation hearing officer; appointment; appeals";
 - (iii) That if the owner(s) does not demand such a hearing within ten (10) calendar days after receiving the citation, the owner(s) will be deemed to have admitted liability, and the hearing officer may assess a fine without further notice;
 - (iv) That the city may file a lien against the property in accordance with Connecticut General Statutes § 7-148aa for the amount of any unpaid fine for an anti-blight violation and/or property maintenance violation imposed by the city in accordance with this article;
 - (v) That a lien may be enforced in the same manner as a property tax lien pursuant to Connecticut General Statutes § 7-148aa and this article;
 - (vi) That fines imposed may be converted to a court judgment for money damages with additional court cost imposed; and
 - (vii) That in the case of violations that pose a danger to the public health, welfare, and safety, the city may cause the conditions to be corrected, removed, or abated at the expense of the owner, and that the amount of costs for correction, removal, or abatement may also become a lien against the owner's real property.
- (f) [Should an] If the owner(s) fail to pay, within forty-five (45) days of the citation, any and all civil penalties levied pursuant to this article, a one (1) percent interest charge [shall] must be applied to the outstanding balance. The interest [shall] will accrue and [shall] be compounded daily. Failure to pay any fee or civil penalties arising from the enforcement of this article [shall] constitutes a debt in favor of the City and [shall] may constitute a lien upon the real estate against which the fee or civil penalty was imposed from the original date of such fee or civil penalty. Each such lien may be continued, recorded, and released in the manner provided by the Connecticut General Statutes for continuing, recording, and releasing property tax liens. Each such lien [shall] takes precedence over all other liens and encumbrance filed after July 1, 1997, to the fullest extent permitted by law.

except taxes, and may be enforced in the same manner as property tax liens. In addition to placing a lien against the property for failure to pay any fee arising from the enforcement of this article, the City may bring civil action against the debtor in a court of competent jurisdiction to recover such debt.

(g) *Anti-Blight Special Fund.*

- (1) All monies collected by the City as fees and civil penalties for violation (s) of this article, [Anti-Blight Program,] and revenue collected pursuant to the special assessment pursuant to this article, [shall] must be deposited into a special fund. This special fund [shall be] is called the Anti-Blight Special Fund. The purpose of this fund is to provide a source of funds to be used for all associated costs in securing, remediating, and remedying blight and enforcing the Anti-Blight Program.
 - (2) *Revolving Fund.* The account [shall be] is a permanent revolving account and [shall] does not lapse at the end of the fiscal year. All the monies and interests deposited in the Anti-Blight Special Fund [shall] must not be transferred, appropriated, or deposited in the general fund or any other fund. All monies in this revolving fund [shall] must be used exclusively for the purposes of the Anti-Blight Program as set forth herein, or as recommended by the Director of Blight Remediation with the approval of the Blight Housing Review Committee.
 - (3) *Civil Penalties, Violations, and Liens.* Any civil penalties or liens placed on any property [in] as a result of any violation of the Anti-Blight Program which have been assessed and collected from a foreclosure, sale, or judicial settlement [and have become due and payable to the City of Hartford, shall] must be deposited in the Anti-Blight Special Fund.
- (h) *Appeal for relief of citation.* Any owner [who is aggrieved as a result of being] served with a citation in accordance with this article may, within ten (10) days of receipt of the citation, appeal in writing for relief from the citation hearing officer in accordance with sections 1-5 [of the Code,] and section 9-95, [herein] of the Municipal Code.

Sec. 9-95. – Citation hearing officer; appointment; appeals.

The Corporation Counsel [shall] may appoint individuals to hear appeals concerning the issuance of anti-blight citations pursuant to the provisions of section 1-5 of the Municipal Code. The City Council may make recommendations to the Corporation Counsel concerning the individuals to be appointed to serve as citation hearing officers. The individuals appointed to serve as citation hearing officers [shall] may serve for a term of up to one (1) year or until a successor is appointed. All citation hearing officer appointees [shall] must have backgrounds in law and/or issues relating to housing. Each hearing officer appointed pursuant to this section [shall] may hear appeals and make decisions thereon separate and apart from all the other hearing officers appointed by the Corporation Counsel to hear anti-blight appeals. In deciding to appoint an individual as a citation hearing officer under this section, the Corporation Counsel [shall] must give preference first to City residents and second to those with a place of business in the City and students attending a law school located in the City. Individuals appointed as citation hearing officers under this section [shall] serve at the pleasure of the Corporation Counsel.

- (1) An owner may appeal for relief of each citation issued pursuant to section 9-94 to a citation hearing officer in accordance with the provisions of section 1-5 of the Municipal Code. Relief must be requested in writing within ten (10) days of the owner's receipt of the citation. Relief may be granted if the owner can establish to the hearing officer's satisfaction that:
 - a. The owner cited was not the owner of record of the property at the time the notice of violation and order to correct was issued; or

- b. Notice of the violation was not properly served upon the owner of record in accordance with subsection 9-94(b); or
- c. The notice of violation was not in proper form; e.g., failed to inform[ed] the owner of the section of the Municipal Code being cited for, failed to [gave]-give owner sufficient time to cure violation, etc.; or
- d. The notice of citation was not properly served to the owner of record in accordance with subsection 9-94(e); or
- e. The notice of citation was not in proper form; e.g., failed to contain the amount of the penalty incurred under subsection 9-94(e), failed to inform[ed] the owner of the right to appeal, etc.; or
- f. The [d]Director of Blight Remediation incorrectly determined that the violations cited were not corrected within the [thirty]ten-day period, or time period granted by a stay of enforcement, as required by subsection 9-94[(c)]; or
- g. The property is subject to a stay of citation issued pursuant to subsection 9-94; or
- h. The [dwelling units or other spaces] property and its structures are actively undergoing repairs that are required to be made to correct violations of state or local codes; or
- i. The owner has in good faith corrected all cited violations and it would work a substantial economic hardship on the owner of the [dwelling unit or building]-real property to require further payment of penalties in compliance with this article; or

[j. The owner has in good faith attempted to sell or rent the dwelling unit or other space for the period described in the definition of extended vacancy attempted but has been unable to do so. To establish good faith and reasonable efforts, the owner must demonstrate by clear and convincing evidence that all reasonable steps have been taken to advertise the premises in a manner designated to and reasonably believed to have the effect of reaching potential tenants or buyers, as the case may be, and that the rent or sale price asked for is not excessive based on the rents or market values for other comparable housing in the neighborhood or adjacent neighborhoods that have:

- i) The same number of rooms;
 - ii) The same number of bathtubs or showers, flush water closets, kitchen sinks, and lavatory basins;
 - iii) The same number of bedrooms;
 - iv) Similar services, furniture, furnishings, and equipment supplied; and
 - v) Similar amenities provided,
 - vi) Such other market determiners as may be relevant in the determination of the hearing officer based on the location and condition of the property.]
- (2) Full documentation, such as code violation reports, engineering reports, and any other information deemed necessary by the hearing officer [shall] must be provided by the owner(s).
 - (3) It is the responsibility of the owner(s) of the premises to have a valid address filed with the City pursuant to section 9-18, and failure to provide such an address [shall] does not constitute a reason for relief of the payment of penalties.

Sec. 9-96. – [Chief operating officer's] Blighted Housing Review Committee report; hearing.

- (a) The [Chief Operating Officer of the City shall] Blighted Housing Review Committee must present a [quarterly] bi-annual status report at the regular meetings of the Court of Common Council listing all properties deemed to be blighted within the meaning of this article. The report shall include the following:
- (1) The factors which, in the [Chief Operating Officer's] Blighted Housing Review Committee's opinion, warrant the determination that the premises so listed are blighted;
 - (2) The efforts undertaken by the City to eliminate the blighting condition, such as clearing the premises of debris or barricading the structures on the premises, and that such actions were unsuccessful;
 - (3) That either (a) the owner of the premises cannot or will not eliminate the [blighting condition] anti-blight violation, or (b) the owner has not responded to a lawful order by the City to take action to eliminate the [blighted condition] anti-blight violation within [thirty (30)] ten (10) days after due notice of the request or order has been served by means set forth in subsection 9-94[(b)](d) used to notify property owners of violations of the housing code and orders to comply with the provisions of the housing code.
 - (4) The circumstances existing on the premises and [in the] its surrounding neighborhood which, in the [Chief Operating Officer's] Blighted Housing Review Committee's opinion, make it necessary for the Court of Common [c] Council to take action [in order] to eliminate the [conditions of blight] anti-blight violations on the premises;
- (b) At the regular meeting at which the Council receives the report from the [Chief Operating Officer] Blighted Housing Review Committee, the Council shall set a date no later than thirty (30) days thereafter at which time a public hearing shall be held in regard to the existence of [blighting conditions] anti-blight violations on the named premises, except that no public hearing shall be held on those properties which are the subject of a pending section 1-5 hearing.
- (c) At the public hearing the report of the [Chief Operating Officer] Blighted Housing Review Committee shall be treated as prima facie evidence of blight on the premises.

Sec. 9-97. — Determination by council.

Upon completion of the public hearing the Court of Common Council shall, within thirty (30) days, consider the [Chief Operating Officer's] Blighted Housing Review Committee's report and make recommendations to the [Chief Operating Officer] Blighted Housing Review Committee as to the disposition of those properties, which disposition may include the option to purchase. The Director of the Department of Development Services is authorized to take the necessary steps to acquire any properties covered by the provisions of this article and which have been certified by the building official to be abandoned pursuant to the Urban Homesteading Act, G.S. §8-169(o), et seq., as it may be amended from time to time. The Director of the Department of Development Services is further authorized to take necessary steps to acquire any properties covered by the provisions of this article, provided there are funds available, using other state and federal means as they may be available.

Sec. 9-98. — Securing and painting of openings in buildings.

[(a)] The Director of Licenses and Inspections or the Director Blight Remediation, or any designee(s) thereof, may order the owner of a vacant or abandoned building to secure all doors and windows, including any or all windows in the upper floors of the building, of any building which is vacant or abandoned. The Director of Licenses and Inspections or the Director of Blight Remediation, or any designee(s) thereof,

[shall] may designate the materials and procedures to be used to comply with such order. The Director of Licenses and Inspections or the Director of Blight Remediation, or any designee(s) thereof, [shall] may order all property owners of vacant, or abandoned [or occupied] buildings to paint all boards of raw plywood or other similar materials used to cover all doors, windows, or other areas, with a color which matches the color of the building. If the owner of the building fails, neglects, or refuses to comply properly with the terms of the order issued pursuant to this section by the Director of Licenses and Inspections or the Director of Blight Remediation, the Director of Licenses and Inspections or the Director of Blight Remediation or any designee(s) thereof may cause the required work to be performed by City staff or an independent contractor; the Director of Licenses and Inspections or the Director of Blight Remediation is not obligated to secure any building [not] deemed unsafe. The Corporation Counsel's Office may institute an action against the owner of the building to recover the cost of any work performed at the expense of the City pursuant to this section.

Sec. 9-98A. – Registration of vacant buildings and vacant lots.

- (a) *Registration.* All owners of vacant buildings and vacant lots must register their properties at the Department of Licenses and Inspections within fifteen (15) days of the date on which the building became vacant. At the time of registration such owners shall also schedule a time for an inspection within fifteen days (15) of such registration by the Department of Licenses and Inspections and any other departments or agencies the Director of Licenses and Inspections deems appropriate. For purposes of this section a vacant building shall be considered a building that is experiencing an extended vacancy as defined in this article. This registration shall be made through a form provided by the City of Hartford and shall include a list of a contact person or persons responsible for the maintenance and repair of the property. This form shall contain the current telephone numbers and addresses of all contact persons. It is the sole responsibility of the property owner to update this information at the department of licenses and inspections whenever there is a change in the name, telephone or address of the contact person.
- (b) *Failure to comply.* Failure to register or comply with any of the provisions of this section will result in a [fine] civil penalty of ninety-nine dollars (\$99.00).
- (c) *Securing of vacant building or vacant lot.* Within ninety (90) days of registration under paragraph (a) of this section the owner of a vacant building or a vacant lot shall submit verification of the following to the Director of Licenses and Inspections:
 - (1) Proof of the cleaning and securing of any vacant building or vacant lot in accordance with all applicable codes and regulations as verified by appropriate inspectors. Such cleaning and securing shall include, but not be limited to, boarding and painting of vacant buildings as described in section 9-98 and HUD bolting where necessary.
 - (2) Confirmation to the satisfaction of the Director of Licenses and Inspections that the provision of all utilities have been terminated and that appropriate measures have been taken to secure plumbing fixtures, gas delivery systems and any other utility related systems or materials. Such utilities shall include, but not be limited to, removal of hazardous materials, natural gas, electric power and water.
- (d) *Annual fee.* The owner of any vacant lot shall pay an annual fee of twenty-five dollars (\$25.00) and the owner of any vacant building shall pay an annual fee of ninety-nine dollars (\$99.00) for the period that such vacant lot or vacant building remains so. The fee is related to the administrative costs of registering and processing the vacant building or vacant lot registration form and for the costs of the City related to the monitoring and inspection of the vacant building or vacant lot.

- (e) *Reporting.* The Director of Licenses and Inspections shall submit a quarterly report not later than January 15, April 15, July 15 and October 15 of each year to the Mayor and the Court of Common Council listing all buildings and lots in the City declared vacant under the provisions of this section, the date upon which such buildings and lots were declared vacant and whether a vacant building or vacant lot registration and any site plan have been filed for the building. The report shall also include a list of all previously declared vacant buildings and vacant lots and their current status. The Director of Licenses and Inspections shall also submit an initial list of all vacant lots and vacant buildings to the Hartford Police and Fire Departments and shall update such list as necessary.

Sec. 9-98B. – Reduction in assessment for rehabilitated structures.

- (a) The assessment on real property, which is determined to [be “blighted premises” as defined in] have existing anti-blight violations under [Hartford Municipal Code section 9-91] this article and is within one thousand five hundred (1,500) feet of property classified as residential [shall] must, at the discretion of the City Assessor, be adjusted as provided for in subsection (c) and pursuant to G.S. §12-121e, provided all other criteria established in this section are met.
- (b) Prior to any work commencing and before such real property will be considered for a deferral under this section, a “request for deferral” application shall be filed with the department of assessment which shall include:
- (1) A description of the parcel;
 - (2) A description of the planned improvements thereon and intended use;
 - (3) An itemized estimate of the cost of those improvements; and
 - (4) A timetable detailing the schedule of improvements.
- (c) Real property that meets the requirements of subsections (a) and (d) of this section shall have the assessment on the building to be rehabilitated reduced for a period of nine (9) years from the time such improvement has been completed and a certificate of occupancy has been issued pursuant to section 35-69. Such adjusted assessment shall reflect the value of the structure prior to rehabilitation and shall defer any increase in assessment attributable to such improvement according to the following schedule:

Year	Percentage of increase deferred
1	100
2	100
3	100
4	100
5	100
6	80
7	60
8	40
9	20
10	0

- (d) For a building to be considered for an assessment deferral under this section, the following criteria must be met:
- (1) Residential (one- to four-family, co-ops and condominiums) and apartments (five-family and up).

- a. The building shall be at least fifteen (15) years old.
- b. The investment in the building to be improved shall be at least thirty (30) percent of the assessed value of said property as of the last revaluation.
- c. No building shall be eligible unless appropriate building permits have been acquired and applications for such permits are made at the same time as the filing for an assessment deferral with the City Assessor.
- d. Any rehabilitated structure must meet all zoning requirements and conform to the City plan of development.
- e. Within seven (7) days of completion of improvements and issuance of a certificate of occupancy, the Assessor must be notified by the owner.

(2) Commercial and industrial.

- a. The building shall be at least twenty (20) years old.
 - b. The investment in the building to be improved shall be at least forty (40) percent of the assessed value of said property as of the last revaluation.
 - c. No building shall be eligible unless appropriate building permits have been acquired and applications for such permits are made at the same time as the filing for an assessment deferral with the City Assessor.
 - d. Any rehabilitated structure must meet all zoning requirements and conform to the City plan of development.
 - e. Within seven (7) days of completion of improvements and issuance of a certificate of occupancy, the Assessor must be notified.
- (e) For the purposes of revaluation, the market value prior to rehabilitation and the post rehabilitated market value will fluctuate with the revaluation. The market value of the property prior to rehabilitation will be adjusted by a factor equal to the median change in value for the property use code as a result of the revaluation. The post rehabilitated market value of the property will be recalculated with the revaluation. In cases where rehabilitation has not been completed prior to the implementation of a revaluation, the market value of the property will be recalculated with the revaluation.
- (f) If rehabilitation work is not completed or a certificate of occupancy has not been obtained within two (2) years of the date of the approval of the Assessment Deferral application, a new application must be filed with the Assessment Division and re-approved for the property to maintain eligibility of the program. If the property is transferred after program approval and before a certificate of occupancy for the rehabilitation work has been issued, the new owner must file a new application with the Assessment Division prior to the commencement or recommencement of work and would require re-approval for the property to maintain its program eligibility.

[Sec. 9-98C. — Reserved.]

[Sec. 9-98D. — Blighted housing special assessment.

- (a) Blighted Vacant Housing, as defined by this article, is established as a separate classification of real property for the purpose of ad valorem taxation and shall be subject to special assessment.
- (b) The special assessment shall be in addition to the general tax levy for properties classified as

blighted vacant housing and shall apportion the reasonable cost of government services required, as determined annually by the Court of Common Council on the recommendation of the Mayor to respond to, remediate and/or ameliorate, blighted housing conditions within the City, provide public safety and other governmental services increased by and reasonably attributed to or resulting from blighted housing, and the cost of securing and maintaining properties foreclosed by the City for nonpayment of any foreclosable tax, fee, fine or civil penalty. The costs shall be determined annually based on an analysis of the costs for code inspection and enforcement, housing and health enforcement, costs for police and fire personnel and public safety response to blighted housing, increased costs of government services for maintenance of public property and facilities, education, and any other cost or expense reasonably attributable to blighted housing.

- (c) The special assessment shall be determined by calculating the costs reasonably attributable to blighted vacant housing and apportioning those costs among the properties classified as blighted vacant housing on a per dwelling unit basis. The number of dwelling units within a multiple dwelling unit property subject to special assessment shall be the number of units determined by the city to be blighted vacant housing. The dwelling unit assessment shall be determined by dividing the total blighted housing costs budgeted by the City by the total number of dwelling units in the entire class of properties identified and classified as blighted vacant housing and then apportioned to each blighted vacant housing property based on the number of per dwelling units determined to be blighted. For purposes of determining the special assessment for vacant residentially zoned property, each lot shall be deemed to have a single dwelling unit.
- (d) The costs and expenses reasonably attributable to blighted housing, as determined by this article and upon which the special assessment is based, shall be set forth as expenses for which the City Council has authorized appropriation in the City budget and, following the adoption of the budget, each owner of property finally classified as blighted vacant housing pursuant to section 9-98F shall be mailed, by first class mail, at the address on record with the Assessor, a notice that the property shall be subject to special assessment and a statement of the amount of the assessment to be levied against the property.
- (e) Any unpaid special assessment shall constitute a lien upon the real estate against which the assessment was imposed from the date thirty (30) days following the date the assessment is levied. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien may be enforced in the same manner as property tax liens.]

Sec. 9-98C[E]. – Blighted housing review committee.

- (a) The Blighted Housing Review Committee is established and [shall be] comprised of the [Chief Operating Officer,] Corporation Counsel or his or her deputy, [Finance Director,] Tax Assessor, Director of Blight Remediation, Director of Licenses and Inspections, Director of the Department of Public Works or his or her deputy, Director of Health and Human Services or his or her deputy, and Tax Collector (or their respective designees) and [shall have] has the authority conferred upon the Committee by this article.
- (b) The Committee[shall have]-has the authority to administer the provisions of this article through the Director of Blight Remediation, to determine when and under what circumstances entry upon private property shall be authorized, and [to determine those properties subject to special assessment, and] to settle, based on the recommendation of the Director of Blight Remediation, any fines, citations, civil penalties, or liens placed on any property for violations of this article if such settlements are deemed, in the Committee's discretion, necessary to promote the policy set fo[u]rth in Section 9-91A, Declaration of policy.

[Sec. 9-98F. -- Special assessment; property for classification; review.

- (a) The Blighted Housing Review Committee shall convene annually no later than June 1 to review and identify those properties likely to be classified as blighted vacant housing. The Committee shall also have authority to determine when the right of entry by City personnel shall be authorized for the abatement of blight on private property.
- (b) Each year the Blighted Housing Review Committee shall identify properties that constitute blighted vacant housing and shall prepare and file a preliminary list of all such properties in the offices of the Town and City Clerk and the City Assessor. In determining those properties that shall be classified as blighted vacant housing for purposes of special assessment, the Committee shall consider, at minimum and without limitation, properties registered as vacant pursuant to the provisions of Section 9-98A of this article, properties registered pursuant to G.S. §7-148ii, properties that are boarded, properties identified as vacant by any local, state or federal agency or department, and properties to which power utilities have been disconnected. To the extent practicable, the City shall keep and maintain a listing of vacant and potentially vacant housing as a reference and shall regularly monitor, review and update the information therein contained. Such list shall include, at minimum and without limitation, all properties registered as vacant pursuant to this article and those properties registered pursuant to G.S. § 7-148ii.
- (c) No later than August 1 of each year, the city shall mail, by first-class mail, to the owner(s) of record of each parcel preliminarily identified as blighted vacant housing as those owners are listed in the records of the City assessor, or such agents as may have registered with the City pursuant to this article or G.S. § 7-148ii, a preliminary warning notice of determination that the owner's property has been identified as blighted vacant housing subject to special assessment and notice of the right to and procedure for seeking review and remediation of that determination, which notice shall conform to the review procedures set forth in this section.
- (d) The owner of any property identified and noticed as blighted vacant housing may seek review of the determination from the Blighted Housing Review Committee, which request shall be postmarked or hand delivered within thirty (30) days of the date of the mailing of the notice. The request shall be mailed or delivered to the office of the Chief Operating Officer. The request shall be made in writing setting forth the facts and circumstances demonstrating that the property is not blighted vacant housing or establishing a basis for exemption pursuant to subsection (e) and may be supported by documentation and affidavits. There shall be no hearing unless such hearing is deemed necessary by the Committee, in its discretion, to clarify conflicting factual information. If, on review of the owner's submissions and such other review or investigation as the Committee deems appropriate in its discretion, it is determined that the property is not blighted vacant housing, the Committee shall remove the property from the list of blighted vacant housing. The failure of an owner to seek review as provided by this section shall be presumptive evidence that the property is blighted vacant housing subject to special assessment.
- (e) The Committee shall have the discretion to exempt and remove properties, except those properties otherwise subject to blight enforcement under this article, from the list of properties subject to the special assessment where: (1) the property is under active construction or rehabilitation as evidenced by current permits, current or impending financing, evidence of actual on-going construction, current contracts or other circumstances indicative of a present intent and ability on the part of the owner to restore the property to occupancy, (2) the property has been transferred to new owners within the thirty (30) days prior to notice or during the review period, (3) the Committee determines that financial or personal hardship prevents reasonable efforts to restore the property to occupancy, including but not limited to divorce, bankruptcy or illness, (4) the owner has

died or is incapacitated, (5) the property is for sale or rent under conditions which satisfy the criteria set forth in section 9-95(1)(i), or (6) such other combination of conditions exist which, in the discretion of the Committee, demonstrate unanticipated excusable hardship warranting exemption.

- (f) Within the fiscal year of the Special Assessment date and the following fiscal year, the Blighted Housing Review Committee may remove any assessment found to be entered in error.
- (g) The owner of property classified as blighted vacant housing shall have a period of one hundred eighty (180) days from the mailing of the notice of determination to reverse the condition of the property, restore the property to use, and to notify the Blighted Housing Review Committee in writing, that the property is no longer blighted vacant housing. This notification shall be mailed or delivered to the Office of the Chief Operating Officer. Property that has been remedied, cured or corrected, and restored to use such that it is no longer blighted vacant housing shall be removed from the final list of assessable property by the Blighted Housing Review Committee. The failure of an owner to notify the Blighted Housing Review Committee that property has been restored to active use and is no longer blighted vacant housing prior to the expiration of the six-month cure period shall be presumptive evidence that the property remains subject to special assessment for the succeeding fiscal and tax year.
- (h) On or before April 1 of each year, upon completion of the review process set forth in this section, the Blighted Housing Review Committee shall certify and file its final list of blighted vacant housing for the upcoming fiscal and tax year with the Town and City Clerk, the City Assessor, the Mayor, and the Common Council.
- (i) For purposes of the application of the special assessment in the year of adoption, and for that year and the following fiscal year only, blighted property subject to the special assessment shall be identified and the owners notified of the determination of the City on or before the first day of November. An owner shall file an appeal, if any, on or before December 1 and the period during which the owner's appeal may be heard and decided or cure the conditions shall remain one hundred eighty (180) days from the date of the notice. Final determination shall be made by the Blighted Housing Review Committee on or before May 15.]

ARTICLE VI. – URBAN HOMESTEADING

Sec. 9-99. – City acquisition of abandoned blighted properties.

The Director of the Department of Development Services or any designee(s) thereof is authorized to take the necessary steps to acquire any properties covered by the provisions of this article and which have been certified by the Building Official to be abandoned pursuant to the Urban Homesteading Act, G.S. § 8-169(o) et seq., as it may be amended from time to time. The Director of the Department of Development Services or any designee(s) thereof is authorized to take necessary steps to acquire any properties covered by the provisions of this articles, provided there are funds available, using other state and federal means as they may be available.

This ordinance shall be effective upon passage



Luke A. Bronin
Mayor

February 14, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: General Obligation Tax Anticipation Notes

Dear Council President Clarke:

Attached for your consideration is an Ordinance authorizing the City of Hartford to issue and sell up to \$20 million in General Obligation Tax Anticipation Notes (TANs). We are currently planning for these TANs to mature in October 2017, with repayment to be funded by FY2018 revenues.

As you are aware, we continue to project a FY2017 deficit that creates a funding challenge in June of this fiscal year. We have successfully reduced the projected deficit by several millions of dollars through a number of aggressive administrative measures as well as achieving agreement on the Fire Union contract. However, as of the end of December 2016, we are projecting a FY2017 deficit of approximately \$17.3 million based on the aggregate of a variety of budget variances.

This TANs issuance is projected to provide sufficient financial resources to meet the City's obligations through the end of the fiscal year, June 30, 2017. The municipal markets continue to be volatile, and, as such, I look forward to working with the City Treasurer to arrive at a workable solution to our funding challenges that best serves the City's interest.

Respectfully submitted,

A handwritten signature of Luke A. Bronin in black ink.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced
by:

Luke A. Bronin, Mayor

HEADING
AND
PURPOSE

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING
\$22,000,000 OF TAX ANTICIPATION NOTES OF THE CITY OF HARTFORD,
CONNECTICUT**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 14, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

Section 1. Not exceeding \$22,000,000 aggregate principal amount of tax anticipation notes of the City of Hartford, Connecticut (the "City") are authorized to be issued and sold to pay current expenses and obligations of the City, including legal, administrative and related costs of issuance (the "Project").

Section 2. The notes shall mature and be payable not later than the end of the fiscal year beginning July 1, 2017, during which such tax collections are payable in accordance with Section 7-405a of the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). Said notes may be issued in one or more series in the amount necessary to meet the cash flow needs of the City. The notes shall be in denominations of \$1,000 or integral multiples thereof, be issued in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The net interest cost of the notes, to the extent paid from the proceeds thereof, may be included as a cost of the Project. The aggregate principal amount of the notes of each series to be issued, the redemption provisions, if any, the certifying, registrar and transfer agent and paying agent thereof, the date and time of issue and sale, and the other terms, details and particulars of such notes, including approval of the rate or rates of interest, shall be determined by the Mayor and the City Treasurer in accordance with the Connecticut General Statutes.

Section 3. The notes, or any series thereof, may be issued and sold by the Mayor and City Treasurer in a competitive offering or by negotiation or private placement, in their discretion. If sold in a competitive offering, the notes shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the notes and setting forth the terms and conditions of the sale shall be published at least three days in advance of the sale in a recognized publication carrying municipal bond and note notices and devoted primarily to financial news and the subject of state and municipal bonds and notes. If the notes are sold by negotiation, the terms and conditions of the purchase agreement shall be approved by the Mayor and the City Treasurer.

Section 4. The issuance of notes authorized hereby is within every debt limitation prescribed by law.

Section 5. The Mayor, the City Treasurer and the Director of Finance are hereby authorized, on behalf of the City, to enter into agreements or otherwise covenant for the benefit of noteholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the notes authorized by this ordinance. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 6. The Mayor and City Treasurer, in the name of the City, are hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary to enable Bond Counsel to render its opinions as to the validity of the notes and the exclusion of the interest on the notes from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to, insurance agreements, trust indentures, escrow agreements, paying agent agreements, tax certificates, tax forms, investment agreements or assignments, (c) appoint any other consultants or professionals as required and (d) do and perform such acts and take such actions as may be necessary or desirable for the consummation of the transactions provided for and contemplated by this ordinance.

Section 7. The Mayor is authorized in the name and on behalf of the City to apply for and accept any and all federal and State grants and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the City with professionals and others as may be necessary or desirable for the consummation of the transactions provided for and contemplated by this ordinance.

This Ordinance shall be effective upon passage.