

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTIONS 10-14
THROUGH 10-21 OF THE CODE OF ORDINANCES OF THE CITY OF MILFORD
(Creating Anti-Blight Ordinance for the betterment of the Health, Safety and
Welfare of the Citizens of Milford)**

BE IT ORDAINED AND ENACTED By the Board of Alderman of the City of Milford that Article II, Anti-Blight is hereby enacted thereunder, which shall provide as follows:

Sec. 10-14. Title and Declaration of Policy.

This ordinance shall be known as the Anti-Blight ordinance.

It is hereby found and declared that there may exist within the City of Milford a number of real properties, which are vacant and/or in a blighted condition, and that the continued existence of such properties contributes to the decline of neighborhoods. It is further found that the existence of such properties adversely affects the economic well being of the City and is detrimental to the health, safety and welfare of its residents. It is further found that many of the properties can be rehabilitated, reconstructed, demolished and/or reused so as to provide decent, safe and sanitary housing and ancillary commercial facilities, and that such rehabilitation, reconstruction, demolition and/or reuse would eliminate, remedy and prevent the adverse conditions described above.

Sec. 10-15. Definitions.

For the purpose of this article, the following words, terms and phrases shall have the following meaning ascribed to them:

Anti-Blight Enforcement Officer shall mean the City of Milford Health Director or his designee.

Blighted Premises shall mean any building, structure or parcel of land which is and continues to be in a state of disrepair and is becoming dilapidated.

Building shall mean a structure having a roof supported by columns or walls along whose outside face can be traced an unbroken line for the complete circumference of the building, which is permanently affixed to a lot or lots for the housing or enclosure of persons, animals or chattels, and shall include each of the independent units into which it is divided by party walls.

State of Disrepair or Becoming Dilapidated shall mean a building, structure or parcel of land that is in a condition which poses a serious threat to the safety, health, morals and general welfare of the community, which may be evidenced by one or more of the following conditions:

- (1) Multiple missing, broken, or boarded up windows or doors; or

- (2) Inadequate maintenance as evidenced by structurally compromised foundation, collapsing or missing exterior walls, roof, gutters or damaged or missing siding; or
- (3) The presence of inorganic building materials, appliances, household furnishings, overgrown brush, shrubbery or overgrown grass of at least one foot situated on the premises; or
- (4) Extensive fire and/or water damage; or
- (5) Infestation by rodents or other pests; or
- (6) Excessive garbage or trash on the property; or
- (7) Inoperative or unregistered motor vehicles or inoperative boats parked or stored on the premises unless garaged or the property; or
- (8) Lots, such as commercial parking lots, or open storage areas left in a state of disrepair or abandonment; or
- (9) Vacant buildings or structures left unsecured or unguarded against unauthorized entry; or
- (10) Any condition causing substantial depreciation of the property values in the neighborhood, or is a fire hazard as determined by the Fire Marshall or his designee, or is attracting illegal activity as determined by the Police Department, or is a public nuisance as defined in Sec. 11-13.

Structure shall mean anything constructed or erected which requires location on the ground or attachment to something having a location on the ground.

Sec. 10-16. Creation or Maintenance of the Blighted Premises.

No owner of real property located in the City of Milford shall allow, create, maintain or cause to be created or maintained, any blighted premises.

Sec. 10-17. Enforcement.

The City of Milford Health Department shall be charged with the enforcement of this ordinance.

Sec. 10-18. Determination and Notice of Violation.

(a) The Anti-Blight Enforcement Officer may enter upon any property in the City of Milford to enforce this ordinance and if violations are found shall provide the property owner with a notice of violation under this ordinance by leaving a copy of such notice of violation with the property owner or affixed to the premises. He shall also send a copy

of the notice of violation by certified mail, return receipt requested to the property owner's last known address. The Anti-Blight Enforcement Officer shall make available a form which the general public may utilize to file a complaint of a potentially blighted premises.

(b) The notice of violation shall contain those criteria set forth in Sec.11-23(1)-(5) of the City of Milford Code of Ordinances.

(c) Upon determination of the Anti-Blight Enforcement Officer that a blighted condition exists, the Anti-Blight Enforcement Officer may notify appropriate City departments and agencies, including but not limited to, Human Services Department for inquiry and social service assistance.

Sec. 10-19. Penalties.

Violations of the provisions of this ordinance shall be punishable by a fine of \$100 (one hundred dollars) for each day a violation continues to exist after the date certain established by the Anti-Blight Enforcement Officer to remedy the violation. Said fine shall constitute a lien upon the property in accordance with Connecticut General Statutes section 7-148aa.

Sec. 10-20. Failure of Owner to Abate.

(a) Upon failure of the owner to abate any violation of this section, the Anti-Blight Enforcement Officer may enter, or cause to be entered, upon the land and abate such violations at the sole cost and expense of the owner. Such cost and expense thereof shall constitute a lien upon the property and may be foreclosed by the City of Milford.

(b) No action for trespass shall be levied against the Anti-Blight Enforcement Officer or his agents for any act performed in the furtherance of this ordinance.

Sec. 10-21. Appeals Procedure.

Appeals from the action of the Anti-Blight Enforcement Officer shall be in accordance with Sec. 11-24 of the City of Milford Code of Ordinances. At the expiration of the appeal period or conclusion of any appeal, in addition to any other remedies, the Anti-Blight Enforcement Officer may refer the matter to the State's Attorney's Office for enforcement.

