

Legislative and Rules Committee Report for December 2, 2002 Board Meeting

The Legislative and Rules Committee meeting was held on Monday, November 18, 2002 at 7 p.m. with committee members Nakian, Fahan, Spandow, Zelinsky, Browne, and Greenberg present. Rep. Shapiro was excused. Also present were Reps. Gabe DeLuca and Ralph Loglisci; William Forker, Office of Taxation and Collections, on # and # , and Joel Berns, Stamford Land Conservation Trust, on #5.

1. LR26.021 For Final Adoption: Proposed Ordinance amending Chapter 179, Article I-- Street Vendors to provide for a new fee.

The city ordinance concerning peddlers, street vendors and solicitors adopted on 1/4/00 provided a \$200. fee for a one year license and \$75 for a one day license. In early 2002, along with many other fee increases, the Mayor proposed that this fee be increased to \$300 for a one year license and \$125. for a one day license, and this was approved by the Board of Representatives on May 6, 2002. Since then it has come to the attention of the Board that state statute, Section 21-37, allows a municipality to make reasonable ordinances concerning vending upon its public streets, including the imposition of a fee not exceeding \$200 a year. Therefore, it appears necessary to amend Chapter 179 to revert the fee to \$200. a year to conform to state statute.

(The fee for Solicitors (going from door to door taking orders for future delivery of goods) is \$100. The fee for Itinerant Vendors (temporary or transient business leasing space for the exhibition and sale of goods) is \$100 and for Managing Itinerant Vendors is \$250.)

Approved for final adoption: 6-0

2. L&26.025 For Publication: Proposed Ordinance amending Chapter 220, Article V -- Additional Veteran's Property Tax Exemption to increase the amount of additional exemption

Public Act No. 02-137 Section 11 provides that, effective July 1, 2002, any municipality, upon approval by its legislative body, may provide that any veteran entitled to an exemption from property tax in accordance with subdivision (19) of section 12-81 of the CT General Statutes shall be entitled to an additional exemption on the assessed value of property up to the amount of \$10,000.00, (replacing the previous \$1,000.00 limit) provided such veteran's qualifying income does not exceed \$14,000.00 for a single veteran and \$16,000.00 for a veteran and spouse. This section also provides the same additional exemption to the surviving spouse of a veteran.

Currently, the Stamford program provides an exemption of \$1,000.00 to a qualifying veteran and to a surviving spouse. There are 162 veterans who currently participate in the local Stamford program which is not reimbursed by the State. The cost to the City is \$4,150.

Mr. Forker provided the committee with projected costs for three options: increasing the exemption to \$2,500, \$5,000, and to the maximum of \$10,000. Using the current 162 participants, the cost would be \$10,378, \$20,757 and \$41,513, respectively. Adding an additional 50 to 1,000 applicants would increase the costs anywhere from \$3,203 to \$256,255.

Last month the committee voted to propose an ordinance increasing the exemption to \$5,000. The cost to the city for the current 162 veterans is projected to be \$20,757. An additional 50 to 1000 applicants will increase the cost from \$6,406 to \$128,125, making the amount of lost revenue range from \$27,163 to \$148,882 (210 to 1162 veterans). Mr. Forker stated that the number of eligible veterans has been declining as there are not many people, veteran or otherwise, in this area who can manage to maintain homes on \$14,000 to \$16,000 per year. However, the number of eligible wars has been increasing, and it is unknown whether there are more than 162 veterans in Stamford who may feel that a \$5,000 exemption is worth applying for.

Approved: 7-0

3. LR26.023 For Publication: Proposed Ordinance amending Chapter 220, Article VI – Effective Date of Tax Exempt Status to change the time period for application to the Board of Representatives.

Both state and city law state that “any non-for-profit organization, granted tax exempt status by the Tax Assessor, may make application to the Board of Representatives . . .” City law has the additional requirement that the application to the Board of Representatives must be submitted within 6 months of the date of acquisition of the property. In the case of the Print Research Foundation, the application was before the Tax Assessor and the Office of Legal Affairs from February until August 28, 2002, a period of over 6 months. Therefore, the Print Research Foundation was prevented by the City from making application to the City (Board of Representatives) within the required six month time period. To refuse to consider this application could set the precedent that the City could deny tax abatement requests merely by sitting on them until the six month period expired.

Because of this situation, and the fact that it could happen again, the L&R committee is recommending that section 220-20 of the Code be amended to provide that a qualifying not-for-profit organization (as determined by state statute) has a three month time period to submit an application to the Tax Assessor for tax exempt status. The date that this is granted starts a second three month time period for application to the Board of Representatives to make the tax exempt status retroactive to the date of acquisition of the property. This keeps the same six month period for application to the Board that has been in effect since 1997, but exempts from this six months the period of time in which the request is before the Tax Assessor.

Approved: 5-0-1

4. LR26.022 For Publication: Proposed Ordinance providing tax exempt status for property owned by the Print Research Foundation, located at 258 Atlantic Street, Unit 1.

The Print Research Foundation acquired property at 258 Atlantic Street, Unit 1 (the old Advocate Building) on December 20, 2001. It applied to the City Tax Assessor for tax exempt status on Feb. 5, 2002, and received the exemption on August 28, 2002, making it exempt on the 2002 Grand List (tax bill of July 2003 and January 2004). The taxes to be abated are \$15,556.04 (checking on this amount) plus interest for the period from January 1, 2002 to June 30, 2002 for the 2000 Grand List, and \$22,428.05, plus interest and lien fees (at the moment a total of \$23,269.11) for the entire 2001 Grand List (7/1/02 - 6/30/03).

Approved: 5-0-1

5. LR26.024 For Publication: Proposed Ordinance providing tax exempt status for property on Mill Road owned by the Stamford Land Conservation Trust.

On June 26, 2002 the Stamford Land Conservation Trust was given 2.58 acres of land on Mill Road to be used as open space in perpetuity. The property was made tax exempt by the Tax Assessor beginning with the Oct. 1, 2002 Grand List. Within the 6 month period required by ordinance, the Stamford Land Conservation Trust has requested that the Board of Representatives make the property tax exempt for the period from the date of acquisition, 6/26/02, through June 30, 2003, the end of the 2001 Grand List, and that the taxes in the amount of \$4,144.89 (plus interest) owed for this period be abated. On July 1, 2003 the Tax Assessor-granted tax exempt status becomes effective.

APPROVED: 6-0