

ORDINANCE NO. _____
SUPPLEMENTAL
AMENDING SECTION 88
BUILDINGS, DEMOLITION OF

WHEREAS, pursuant to the provisions of §29-406, et seq. of the Connecticut General Statutes and §29-401-5 of the Regulations of the Connecticut Department of Public Safety, the local building official of a municipality is empowered to administer the state demolition code as set forth in §§29-406 through 29-413, inclusive, of the Connecticut General Statutes; and

WHEREAS, Chapter 88 of the Code of Ordinances (the “Code”) provides for the demolition of buildings in the City of Stamford; and

WHEREAS, Section 88-5 of the Code provides for a waiting period of 180 days prior to the demolition of any building, structure or part thereof, which is (1) more than fifty (50) years old, or (2) is contained within the boundaries of an historic district as contemplated by Part I of Chapter 97a of the Connecticut General Statutes, or (3) is designated as an historic property as defined by the provisions of §7-147p(a) of the Connecticut General Statutes; and

WHEREAS, Public Act No. 16-09, which was recently passed by the Connecticut General Assembly, prohibits individuals seeking demolition permits from taking action toward demolition in the event that a waiting period has been imposed by the municipality, unless the building official has determined that a danger to public health will result; and

WHEREAS, it has been determined that it is in the best interest of the City of Stamford to amend Section 88-5 of the Stamford Code of Ordinances to specify that no individual may take any action toward demolition during a waiting period imposed under that section.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 88 of the Code of Ordinances of the City of Stamford is hereby amended, as follows:

DEMOLITION OF BUILDINGS

Sec. 88-5. Delay of issuance of building demolition permit.

- A. With respect to any application to demolish any building, structure or part thereof, covered under Subsection 88-4 above, if a written objection to the issuance of the demolition permit is filed with the City of Stamford Building Inspection Department via certified mail by any individual, firm, corporation, organization or other entity within twenty (20) days following publication of the legal notice as required pursuant to Subsection 88-4.A above, the Chief Building Official, or his designee, shall delay the issuance of the permit for a period of one hundred eighty (180) days from the receipt of the application. If no objection to the demolition of the subject building,

structure or part thereof, is filed within twenty (20) days of said publication, the Chief Building Official may issue the permit forthwith.

- B. Alternatively, if a building or structure or part thereof located within an historic district or designated as an historic property as contemplated by Chapter 97a of the Connecticut General Statutes is to be demolished, no demolition shall occur for one hundred eighty (180) days from the issuance of a demolition permit in accordance with the provisions of Section 29-406(b) and §§7-147j(b) and 7-147y(b) of the Connecticut General Statutes if, during such time, the City of Stamford Historic Preservation Advisory Commission, Old Long Ridge Historic District Commission, or the Connecticut Historical Preservation Council, their successor organizations, or other historic preservation commission or organization is attempting to find a purchaser who will retain or remove such structure or part thereof, or who will present some other reasonable alternative to demolition. During such one hundred eighty (180) day period the Chief Building Official shall issue a stay of the demolition permit issued and the municipality may abate all real property taxes for the subject property for the period of delay. At the conclusion of such one hundred eighty (180) day period, the demolition permit shall become effective and the demolition may occur. Nothing in this subsection shall be construed to mandate that the owner of such property is under any obligation to sell such property, structure or part thereof.
- C. Notwithstanding the foregoing provisions of this chapter, the issuance of a demolition permit shall not be delayed or a demolition permit which has already been issued shall not be stayed more than one hundred eighty (180) days from the date an objection is filed to the issuance of a permit under subsection A above or the date a demolition permit is stayed under subsection B above, whichever time period is shorter. In any event, a demolition permit may not be delayed or stayed in excess of one hundred eighty (180) days total.
- D. During the waiting period referred to in this Section, the applicant shall take no action toward demolition of the building, structure or part thereof, including, but not limited to, site remediation and asbestos abatement. The provisions of this subsection shall not apply in the event that the Chief Building Official determines that compliance with this subsection would result in a danger to public health.

This ordinance shall take effect upon enactment.