

Sec. 7-1. Established;  
Membership.

**CHAPTER. 7. Building and  
Buildings**

Sec. 7-3. Appeals to Board.

**CHAPTER 7. BUILDING AND BUILDINGS**

**ARTICLE 1. ADMINISTRATION**

**DIVISION 1. BUILDING BOARD OF APPEALS**

***Sec. 7-1. Established; Membership.***

(a) There is established the Building Board of Appeals, consisting of five (5) members, who shall be electors of the town, not more than four (4) of whom shall belong to the same political party. Members shall be appointed so that one member's term expires each year.

(b) Members shall be appointed for a term of five (5) years.

**DIVISION 2. HOUSING CODE BOARD OF APPEALS.**

***Sec. 7-2. Established; Membership.***

There is established the Housing Code Board of Appeals, consisting of five (5) members who shall be electors of the town, not more than three (3) of whom shall belong to the same political party. The members of the Housing Code Board of Appeals shall be appointed so that one member's term expires each year. Thereafter, each member shall serve for a term of five (5) years.

***Sec. 7-3. Appeals to Board.***

(a) Any person aggrieved by any order, requirement or decision of the Director of Inspections and Permits requiring such person to bring property into compliance with the Housing Code may appeal to the Housing Code Board of Appeals by filing a written notice of appeal with the Board within seven days of the date of such order, requirement or decision. (Effective: 2/3/96)

State law reference: As to appointments to boards of appeals, see General Statutes, Section 19-402.

(c) Any person aggrieved by the action of the Building Inspection Division of the Department of Inspections and Permits shall be entitled, upon due written request, to a hearing before the Building board of Appeals, called within a reasonable period of time by its chairman.

The appellant, his representative, the appropriate official of the Town, and any other person whose interest may be affected, shall be given an opportunity to be heard. The

Sec. 7-4. Building Permit Fees. **CHAPTER. 7. Building and Buildings**

Sec.7-5 Maintenance of Abandoned Buildings.

Board shall confirm, modify or reverse the decision appealed from by a concurring vote of three (3) members. Failure to secure three (3) concurring votes, regardless of the number of Board members present at a hearing, shall be deemed a confirmation of the decision appealed from. Decisions of the Board shall be final.

**ARTICLE 2. BUILDING CODE2**

**Sec. 7-4. Building Permit Fees.**

Building permit fees shall be provided by the Council in the Schedule of Fees.

**2**

State law reference: As to State building codes' applicability, see General Statutes, Section 19-395e.

**Sec.7-5 Maintenance of Abandoned Buildings.**

(a) any person owning any building or structure in the town shall maintain such building and surrounding property in a clean condition. In the event that such building or structure is abandoned, all doors and windows of such building shall be boarded up with plywood or other materials approved by the Director of Inspections and Permits. Such plywood or other materials shall be securely fastened to the building and shall be painted to prevent deterioration by the elements.

(b) The premises shall be kept free of litter or other refuse, and vegetation shall be kept trimmed as provided in Chapter 20. Failure to comply with this Section shall be deemed to constitute a nuisance.

(c) In the event that the abandoned building or property is not maintained as provided herein, the Town may, after ten (10) day's notice, abate the condition. The costs incurred by the Town in abating the nuisance shall constitute a lien against the property.

(d) Any person owning a building or structure that has been declared unsafe by the Director of Inspections and Permits shall maintain such building in accordance with the requirements of the Connecticut State Building Code and the East Hartford Property Maintenance and Housing Code.

(e) In the event a building is abandoned and left vacant for more than one (1) year, the owner of such building may be notified by the Director of Inspections and Permits to demolish said building within thirty (30) days of notice.

(f) If the owner fails to maintain the building as provided herein, or if the owner fails to demolish the building when ordered by the Director of Inspections and Permits, the Town may, after thirty (30) day's notice, abate the condition. The cost incurred by the Town to abate the nuisance shall constitute a lien against the property.

Sec. 7-6. Fire Districts.

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Sec. 7-8. Summons for Violations.

**Sec. 7-6. Fire Districts.**

For the purpose of the building code of the State of Connecticut, there shall be two (2) fire districts, designated as Fire District No. 1 and Fire District No. 2, and an Outside Fire Limits in the Town of East Hartford, all as described in this Section.

(a) Fire District No. 1 shall comprise the areas housing highly congested business, commercial, manufacturing and industrial uses or in which such uses are developing. The limits of such areas are described as follows:

(1) That area designated in the official Town zoning map as Zones B-4A and 1-3.

(b) Fire District No. 2 shall comprise the areas housing residential uses, together with retail stores, business and amusement centers or in which such uses are developing; and the limits of such areas are described as follows:

(1) That area designated in the official Town zoning map as Zones B-1a, B-1, B-2, B-3, B-4, I-1 and 1-2.

(c) Outside Fire Limits shall comprise all other areas not included in Fire District No.1 and No. 2.

**ARTICLE 3. PROPERTY MAINTENANCE CODE**

**Sec. 7-7. Adoption of Housing Code.**

The Town of East Hartford adopts the International Property Maintenance Code, 2003 Edition as the property maintenance code for the Town of East Hartford.

**Sec. 7-8. Summons for Violations.**

Notwithstanding the provision of section 7-7, the provisions of International Property Maintenance Code, 2003 Edition are amended as follows:

(1) Section 101.1 is amended to read as follows: These regulations shall be known as the Property Maintenance Code of the Town of East Hartford.

(2) Section 103.5 is amended to read as follows: The fees for activities and services performed by the department under this code shall be as set out in the Fee Schedule.

(3) Section 106.3 is amended to read as follows: Any person who violates any provision of the Property Maintenance Code shall be subject to a fine of not more than ninety-nine dollars. Each day that a violation continues after the date in which the violator was given to abate the violation in the notice served on the violator in accordance with section PM-107, shall be deemed a separate offense.

(4) Section 106.4 is amended to read as follows:

(a) After notice of a violation has been given in accordance with section [PM-] 107, any

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person who violates the following provisions, which shall constitute blight, shall be liable for the civil fines as set forth in this section:

(A) Section 108.1.1 Unsafe structural conditions	\$100
(B) Section 108.1.2 Unsafe equipment	\$100
(C) Section 108.1.3 Unfit for human occupancy	\$100
(D) Section 108.1.4 Unlawful structure	\$100
(E) Section 302 Exterior deterioration	\$ 50
(F) Section 304 Exterior structure	\$ 50
(G) Section 305 Interior structure	\$ 50
(H) Section 306 Handrails & Guardrails	\$ 50
(I) Section 307 Rubbish & Garbage	\$ 50
(J) Section 308.1 Infestation	\$ 50
(K) All other violations of the code	\$ 25

- (b) The Director of Inspections and Permits or designee may issue a citation assessing a civil fine in accordance with the provisions of subsection (a) of this section to any person who has failed to correct a violation within the time specified in a notice issued in accordance with the provisions of section 107. Such citation shall include the following provisions: (1) that the person may pay the fine specified in the citation to the Finance Department within fifteen days of receipt of such citation or service on the property where the violation occurred; (2) the allegations against him and the amount of the fine; (3) that the person may contest liability for the fine before the Property Maintenance Code Board of Appeals by delivering, in person or by mail, within ten days of the date of the citation, a written demand for a hearing; (4) that if the person cited does not demand such hearing, an assessment and judgment will be entered against him; and (5) such judgment will issue without further notice.
- (c) If the person who is served such citation wishes to admit liability for any alleged violation, he may, without requesting a hearing, remit the full amount of the civil fine, either in person or by mail, payable to the Finance Department. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making such payment. Any person who fails to pay such fine or demand a hearing shall be deemed to have admitted liability. The Tax Collector shall certify such failure to the Director of Inspections and Permits who may take appropriate action to recover such fines.
- (d) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of such notice, provided the Property Maintenance Code Board of Appeals may grant, upon good cause shown, any reasonable request by such person for a postponement of such hearing. The presence of either the Director of Inspections and Permits or the person who issued the citation shall be required at the hearing if so requested by the person named in the citation. Such request must be included with the appeal. A person wishing to contest liability shall appear at the hearing, may present evidence, and may be represented by an agent or attorney. The Director of Inspections and Permits or designee may present evidence on behalf of the Town. If the person who received the citation fails to appear, the Property Maintenance Code Board of Appeals shall enter an assessment by default against such person upon a finding of proper notice and liability under the applicable provisions of this section. The hearing shall be

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conducted in accordance with the rules of evidence as established in section 4-178 of the Connecticut General Statutes. The Property Maintenance Code Board of Appeals shall render a decision within ten days of the hearing. If the Board determines that the person who received the citation is not liable, it shall dismiss the matter and enter that determination in writing. If the Board determines that the person who received the citation is liable for the civil fines, the Board shall assess the civil fines as provided in the citation.

(e) If the assessment by the Property Maintenance Code Board of Appeals is not paid to the Tax Collector within ten days of the receipt of the decision by the Board, the procedures in subsection (f) of section 7-152c of the Connecticut General statutes shall apply.

(5) Section 107.4 is amended to read as follows: Penalties for noncompliance with orders and notices shall be as set forth in Sections 106.3 and 106.4.

(6) Section 108.1.3 is amended to read as follows: A structure, or part thereof, shall be deemed unfit for human occupancy whenever the code official or the Director of Health or designee finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks adequate ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

(7) Section 109.2 is amended to read as follows: Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official may order that the necessary work be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted. If the owner fails to immediately correct such conditions identified in the order, the code official is empowered to cause such necessary work to be completed in order to abate the emergency.

(8) Section 109.4 is amended to read as follows: Where unsafe conditions exist due to operational failure of essential heating, electrical power or sanitary facilities within an occupied dwelling unit or dwelling and the dwelling unit or dwelling is otherwise suitable for human occupancy, and the owner fails to take immediate action to restore such conditions, the code official shall order restoration of such essential heating, electrical power or sanitary facilities. Costs for such emergency repairs may be paid and recovered in the manner established in section 109.5.

(9) Section 109.5 is amended to read as follows: Costs incurred in the performance of emergency work performed by, or on behalf of, the town of East Hartford shall be charged to the owner of the property on which such emergency work was performed. If the costs of the emergency work are not paid by the owner of the property, the town may file a lien on such property and the corporation counsel may institute an action in superior court to recover such costs.

(10) Section 110.2 is amended to read as follows: Notice as required by section 7-22 of The Code of Ordinances shall be served prior to the demolition of any structure more than fifty years old except in the case of imminent danger to the public or major destruction by fire.

(11) Section 110.3 is amended to read as follows: Structures abandoned for more than one year may be ordered demolished pursuant to section 7-5 of The Code of Ordinances.

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(12) Section 111.1 through 111.8, inclusive, is amended to read as follows:

- (a) 111.1 There is established a Property Maintenance Code Board of Appeals consisting of five members who shall be electors of the Town. The members of the Property Maintenance Code Board of Appeals shall be appointed so that one member's term expires each year. Thereafter, each member shall serve for a term of five years or until a successor has been appointed.
- (b) 111.2 Any person aggrieved by a decision of the code official or a notice or order issued under Section 107 or a citation issued under Section 106 may appeal such decision, notice, order or citation to the Property Maintenance Code Board of Appeals. Such person shall file a written application for appeal within seven days after the day the decision, notice or order is received by such person. Such appeal shall be based on a claim that the code has been incorrectly interpreted, the provisions of the code have not been violated, the provisions of the code do not apply or the requirements of the code are adequately satisfied by other means. In appealing a citation issued under Section 106, such person shall file such application in accordance with the provisions of such section.

(13) Code definition of 'code official\* and "rooming house' in section 202 is amended to read as follows: 'code official' shall mean the Director of Inspections and Permits or designee. 'Rooming house shall mean any dwelling unit in which three or more rooms are offered for rent, with or without meals to persons not of the immediate family of the owner.

(14) Section 301.2 is amended to read as follows: The owner of the premises shall maintain the structures and exterior property in compliance with these requirements except as otherwise provided for in sections 19a-358, 47a-7, 47a-11, 47a-51 and 47a-54a of the Connecticut General Statutes.

(15) Section 202 is amended to add the following definitions:

- Abandoned: Any structure that has remained vacant and the premises not maintained for a period of at least one year from the date of the notice or order.
- Premises: A lot, plot or parcel of land including any structures thereon. A premises shall also mean an individual tenancy or dwelling unit within a multiple tenant structure.

(16) Section 302.4 is amended to read as follows: All premises and exterior property shall be maintained free from weeds or excessive grass or plant growth in excess of nine inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and other vegetation provided, however, that this term shall not include cultivated grasses, flowers or gardens. Grass and weeds on vacant properties shall be maintained to a height of not more than ten inches in height for at least ten feet from any property line.

(17) Section 302.7 is amended to read as follows: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. On or after September 30, 2002, no person shall erect or replace any fence exceeding four feet in height in the front yard of any residential property in the town. As used in this section, "front yard" shall

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mean any portion of the property between the street frontage and the residential building but shall not include the side yard or rear yard of residential property that is a corner lot or through lot. Notwithstanding the provisions of this paragraph, a residential property owner may request permission to erect or replace any fence of more than four feet in height but not exceeding six feet in height in such owner's front yard from the Property Maintenance Code Board of Appeals established pursuant to this section. Such application shall be filed with the Director of Inspections and Permits. The Board shall meet to review such request within thirty days of the receipt of the request by the Director of Inspections and Permits. In determining whether to approve such request filed pursuant to this paragraph, the Board shall consider the impact of the fence on the safety of the residents in the neighborhood and the physical, legal, or other reasons, why compliance with the four foot height restriction is a hardship. On or after April 15, 2008, a person may erect a fence consisting of wood, wood composite, metal or plastic coated chain link, polyvinyl chloride or similar hard plastic compound material or such other material approved by the Director of Inspections and Permits. No fence shall consist of tarp, canvas, or similar material. Any slats in between the chain links of a fence shall be of a uniform color pattern and shall be trimmed to grade level and to the top rail of the fence.

(effective 06-03-08)

- (18) Section 302.8 is amended to read as follows: Except as provided in subsection (b) of section 21-1 and the zoning regulations of the town of East Hartford, no unregistered motor vehicle shall be parked, kept or stored on any premises and no vehicle shall at any time be kept in a state of disassembly, disrepair or in the process of being stripped or dismantled provided that any vehicle may be repaired if such activity is permitted by a provision of the Code of Ordinance or zoning regulations of the town of East Hartford and such activity is conducted entirely within an enclosed structure.
- (19) Section 304.14 is amended to read as follows: During the period from June 1 through October 15, inclusive, every door, window and other outside opening utilized or required for ventilation purposes or egress purposes and capable of being held in an open position serving any structure containing habitable rooms shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door containing screening shall have a self-closing device in good working condition. Screen doors shall not be required where other approved means for excluding insect intrusion are installed and functioning, such as approved air curtains or insect repellent fans.
- (20) Section 404.5 and Section 404.6 are amended to read as follows and Section PM-405.6 is repealed: Dwelling units shall not be occupied by more occupants than permitted pursuant to Section 19a-358 and Section 47a-54a of the Connecticut General Statutes.
- (21) Section 602.3 is amended to read as follows: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat to maintain room temperature of not less than 65 degrees Fahrenheit.
- (22) Section 602.4 is amended to read as follows: Every enclosed occupied work space shall be supplied with sufficient heat to maintain a temperature of not less than 65 degrees Fahrenheit during all working hours. Exceptions: (1) Processing, storage and operation areas that require cooling or special temperature conditions; (2) Areas in which persons are primarily engaged in vigorous physical activities; and (3) Areas that meet regulations promulgated by the Occupational

Sec. 7-12. License Required; Application; Issuance; Display. **CHAPTER. 7. Building and Buildings**

Sec. 7-16. Notice of Violations.

Safety and Health Administration.

(23) Section 702.2 is amended to read as follows: The required width of aisles or corridors shall be in accordance with the International Fire Code and shall be unobstructed. All corridors that serve more than one exit shall provide direct connection to such exits. Permissible length of dead end egress elements shall be in accordance with the maximum requirements of the Connecticut State Fire Safety Code.

Voted: 06-19-07  
Published: 06-26-07  
Effective: 07-17-07

**Sections 7-9 through 7-11, inclusive, section 7-13, sections 7-17 through 7-18, inclusive, and Sections 19-1 through 19-123, inclusive, of the Town of East Hartford Code of Ordinances were originally repealed on May 31, 2001.**

**Sec. 7-12. License Required; Application; Issuance; Display.**

(a) No person shall operate a rooming house, hotel, motel or motor hotel unless he holds a valid rooming house license issued by the Director of Inspections and Permits, or his authorized agent, in the name of the operator and for the specific rooming house, hotel, motel, motor hotel or rooming unit. The operator shall apply to the Director of Inspections and Permits for such license, which shall be issued upon compliance by the operator with the applicable provisions of the Housing Code.

(b) The license shall be displayed in a conspicuous place on the premises at all times.

[Section 7-13 has been repealed effective 5-31-01]

**Sec. 7-14. License Non-Transferable; Ownership Transfer.**

No license shall be transferable. Every person holding such a license shall give notice in writing to the Director of Inspections and Permits within twenty-four hours after having sold, transferred, or otherwise disposed of, ownership, interest in, or control of any rooming house, hotel, motel, or motor hotel. Such name shall include the name and address of the person succeeding to the ownership of control of such business.

**Sec. 7-15. License Term; Fee.**

(a) Every rooming house license shall expire at the end of two years following the date of issuance, unless sooner suspended or revoked as hereinafter provided.

(b) The fee for such license shall be as provided by the Council in the Schedule of Fees.

**Sec. 7-16. Notice of Violations.**

Sec. 7-19. Permit Required.

**CHAPTER. 7. Building and Buildings**

Section 7-20. Bond and Insurance Requirements.

Whenever, upon inspection of any rooming house, conditions or practices are found to exist which are in violation of any provision of the Housing Code, a notice shall be given in writing to the operator of such rooming house, stating that unless such conditions or practices are corrected within a reasonable period as determined by the Department of Inspections and Permits, the operator's license will be suspended.

[Sections 7-17 through 7-18, inclusive, have been repealed effective 05-31-01]

**ARTICLE 4. MOVING OF BUILDINGS OVER STREETS, ETC.4**

**Sec. 7-19. Permit Required.**

It shall be unlawful for any person to move any building or any part of a building through, across or upon any street, highway or sidewalk without first having obtained a written permit from the Director of Public Works and written approval from the Chief of Police. Application for a permit shall be made upon a form provided by the Director of Public Works and shall contain such information as may be required by him to ascertain that moving the building or part thereof will not endanger the public and town, or public or private property, and will not unduly inconvenience the public's right to use streets, highways and sidewalks.

Effective: 5/24/91

<sup>4</sup>State law reference: As to moving buildings, see Section 117 of the Building Code.

**Section 7-20. Bond and Insurance Requirements.**

- (a) The Director of Public Works shall require such applicant for a building moving permit to deliver a Performance Bond to secure the Town against any damages suffered by town-owned property as a result of the moving of a building, or any part thereof, prior to issuing such permit. The bond shall also secure the Town against breach by the applicant of any of the conditions set out in the permit.
- (b) Such bond shall be issued by an insurance carrier licensed to do business in the state for the amount required by the Director of Public Works.
- (c) The Director of Public Works shall require the applicant to submit a Certificate of Insurance, naming the Town as an additional insured party, indicating that the applicant has obtained a Comprehensive General Liability (CGL) insurance policy with a \$2,000,000 per occurrence limit to cover any injury to persons (including death) and/or damage to public or private property caused by the moving of a building or part thereof. The applicant shall also provide written evidence that it has procured automobile liability insurance with a limit of not less than \$1,000,000 per occurrence, as well as written evidence that it has procured Workers' Compensation insurance coverage.
- (d) The Bond, Certificate of Insurance, and all other evidence of insurance shall be reviewed and approved by the Town's Finance Director or his/her designee in writing prior to the issuance of the building moving permit.
- (e) Each and every applicant for a permit shall, prior to receiving same, sign and deliver to the Director of Public Works, on a form provided by the Director, a Hold Harmless and

Sec. 7-21. Notice Required.

**CHAPTER. 7. Building and Buildings**

Sec. 7-22. Demolition of Structures More Than Fifty

Indemnification Agreement to protect the Town against claims and demands from injured parties.  
Effective: 5/24/91 (all of 7-20)

**Sec. 7-21. Notice Required.**

- (a) Upon the issuance of the moving permit, the Director of Public Works shall notify the Chief of Police and Fire Department as to the route to be taken and the time.
- (b) The permittee shall notify the telephone and electric company of such moving.

**ARTICLE 5. DEMOLITION OF STRUCTURES.**

**Sec. 7-22. Demolition of Structures More Than Fifty Years Old; Permit; Fee.**

- (a) No person shall demolish a building or structure located within the town that is larger than five hundred (500) square feet and more than fifty (50) years old without first obtaining a permit from the Department of Inspections and Permits.
- (b) The permit shall be issued upon completion by the applicant of the following requirements:
  - (1) Filing of a notice of intent to demolish with the Department of Inspections and Permits stating the address of the building, along with a description.
  - (2) Within ten (10) days of filing, the applicant shall post on the property upon which the building to be demolished is located, in a conspicuous place for at least thirty (30) consecutive days, a sign provided by the Department of Inspections and Permits.
  - (3) A waiting period of sixty (60) days after the filing of the notice of intent to demolish.
- (c) The Director of the Department of Inspections and Permits shall maintain on file a list of all parties, along with their address, who are interested in receiving notice of the filing of an intent to demolish. The Director may notify these parties by mail within five (5) days of the filing of a notice of intent to demolish.
- (d) The fee for a demolition permit issued pursuant to this section shall be as provided by the Town Council in the Schedule of Fees.
- (e) The permit shall be good for one (1) year

Effective: 11/17/82

## **Chapter 7 BUILDING**

### **Article 6. ADOPTION AND ADMINISTRATION OF BUILDING CODE**

#### **Sec 7-23. Building Code.**

(a) The state of Connecticut Building Code, as amended from time to time, is hereby adopted as the Town of East Hartford Building Code. The Director of Inspections and Permits and his designees shall administer and enforce the provisions of such Code.

(b) All buildings and other structures shall be constructed, altered or repaired in strict compliance with the requirements of the Town's Building Code, as amended from time to time.

(c) No building or other structure shall be constructed, altered or repaired unless and until the construction, alteration or repair has been approved by the Director of Inspections and Permits and authorized by such Director through the issuance of a written permit authorizing the construction, alteration or repair of such building or structure upon payment of the fee established by the Town Council. Such permit shall be prominently displayed on the structure being constructed, altered or repaired at all times while work is in progress.

(d) Failure to secure a building permit before commencing the construction, alteration or repair of a building or other structure shall subject the owner of such structure to a surcharge of ninety-nine dollars which shall be added to the building permit fee authorized by the Town Council, provided such surcharge may be waived if the owner applies for such permit prior to receipt of the notice issued pursuant to sub-section (e) of this section.

Subsection (d) effective 04-17-02

(e) An owner of a structure being constructed, altered or repaired without a valid permit shall apply for such permit within five working days of his receipt of a written notification from the Director of Inspections and Permits that he must apply for and receive a building permit in order to continue the construction, alteration or repair of such structure.

(f) Any owner of a structure who fails to apply for a building permit within the time set out in sub-section (e) above, shall be fined not more than ninety-nine dollars for each day on which the construction, alteration or repair of such structure remains in violation of this Chapter.

Voted: 6-20-95  
Published:6-30-95  
Effective:7-21-95

(g) As used in this section, a "master building permit" shall authorize the holder of such permit to conduct any activity for which a building permit pursuant to subsection (c) of section 7-23 of the town ordinances is required except that such master building permit shall not apply to (1) new construction of any building or structure; or (2) renovation to an existing building or structure that would involve a change in the use of such building or structure or allow for additional occupancy of a portion of such building or structure by fifty or more individuals.

(h) A master building permit may be issued to an owner of any property on which a structure or structures of more than two hundred and fifty thousand square feet, singly or in aggregate, are located who

(1) has designated as his master building permit agent a person licensed as a building inspector or assistant building inspector pursuant to subsection (a) of section 29-262 of the Connecticut General Statutes to review plans and inspect construction; (2) keeps records of all documents and information concerning such construction and files original documents with the Director of Inspections and Permits; (3) agrees to file with the Director of Inspections and Permits, for information purposes, a detailed schedule containing plans, details and other information on any such construction conducted pursuant to the master building permit; and (4) pays the application fee established for a master building permit as set by the town council.

(i) The Director of Inspections and Permits may issue a master building permit to any owner who applies for such permit and who submits evidence that the person meets the criteria as set forth in subsection (b) of this section. The master building permit shall be valid for a period of one year from the date of issuance. The Director may revoke such permit if (1) the owner or his master building permit agent misrepresents any information filed pursuant to this section; (2) the Director conducts a performance review of such permitted activity and finds significant violations of the building code; (3) the master building permit agent is determined by the Director of Inspections and Permits to be unqualified or unable to perform the administrative or technical responsibilities of the position or (4) the owner fails to pay the permit fee for the work submitted with each activity report filed pursuant to subsection (e) of this section.

(j) Upon the termination or resignation of the master permit agent or where the master permit agent is unable or unwilling to discharge the duties and responsibilities of the master permit agent, the owner shall designate another master permit agent who is licensed as a building inspector or assistant building inspector pursuant to subsection (a) of section 29-262 of the Connecticut General Statutes and shall notify the Director of Inspections and Permits of such designation.

(k) Any owner to whom a master building permit has been issued shall file an activity report, not less than every three months from the date of issuance of the permit, with the Director of Inspections and Permits. Such report shall list activities conducted pursuant to the permit and containing a certification by the master building permit agent that such activities are conducted in accordance with applicable building codes and state law. Such report shall include any inspections or reviews of construction under the master building permit conducted by the town fire marshal or such other fire marshal authorized by law to conduct such inspections or reviews. The Director shall review such report and conduct inspections of such activities as the Director deems necessary.

(l) The Town Council shall establish an application fee for a master building permit. The Town Council shall also establish a fee for work performed pursuant to this section which may be less than the building permit fee charged for such activity if it was not performed pursuant to a master building permit. The master building permit application fee amount shall be credited against such fees.

Voted: 03-18-03  
Published: 03-25-03  
Effective: 04-15-03

## **Chapter 7. BUILDING**

### **Article 7. DEMOLITION OF HAZARDOUS BUILDINGS AND**

## **STRUCTURES**

### **Sec. 7-24. Intent and Purpose.**

The intent of this ordinance is to protect the public health, safety and welfare by eliminating physical conditions in or on buildings and other structures which constitute hazards to the life, health or safety of persons in, on or near buildings and structures where hazardous conditions exist

### **Sec. 7-25. Definitions.**

A hazardous building or structure is one which meets one or more of the following criteria:

1. has one or more unsanitary conditions) which constitute a hazard to health or safety due to inadequate maintenance, dilapidation, neglect or abandonment, or due to the lads of proper sanitation or
2. has one or more structural defect(s) which render the structure unsafe or unsound; or
3. has one or more physical condition(s) which is or are potentially dangerous, detrimental or hazardous to the life, health or safety of persons on or near the building or structure

### **Sec. 7-26. Enforcement..**

(a) The Director of Inspections and Permits of the Town of East Hartford, or his designees, shall be responsible for the enforcement of this ordinance. He shall:

- (1) determine, after conducting an inspection, that the buadmg or structure is hazardous as defined in section 2 above;
- (2) after having determined that the binding is hazardous, issue an order to repair or demolish and give written notice of such determination and order to the owner or owners of the building, as well as to all other persons shown as having an interest in the building by the land records of the Town of East Hartford. Such notice shall also direct the owner or owners of the structure and other recipients of such notice to appear before him within fourteen calendar days from the date shown on the notice to show cause why the structure should not be repaired by the owner or owners or be repaired or demolished by the Town.
- (3) if good cause is not shown, hold a public hearing to hear testimony from the owner or owners of the structure and/or from other recipients of the notice, as well as testimony from owners of property which abut the subject structure and from other members of the public, as well as from Town officials such as the Health Director, Chief of Police, Fire Chief and others as to the condition of the structure.

(b) The Director of Inspections and Permits shall thereafter, no later than fourteen calendar days from the date of the public hearing, issue, modify or revise his order, as the facts may require, to the owner or owners of the building, provided that an order to repair or demolish said building or structure shall be complied with within thirty calendar days from the date of such reissued order.

### **Sec. 7-27. Appeal.**

Sec. 7-28. Demolition and Recovery of Costs.

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Sec. 7-29a. Identification of Landlords

(a) The owner or owners of the building or structure, may appeal an order issued by the Director of Inspections and Permits in writing to the Building Code Board of Appeals within ten calendar days from the date of such order. Copies of such appeal shall be served upon the Town's Corporation Counsel and the Director of Inspections and Permits.

(b) The Building Code Board of Appeals shall thereafter conduct a hearing on such appeal no later than ten calendar days from the date of its receipt of the appeal. Upon conclusion of such hearing, the Building Code Board of Appeals may issue a decision upholding the order issued by the Director of Inspections and Permits or an order which vacates or modifies the Director's order.

**Sec. 7-28. Demolition and Recovery of Costs.**

If the owner or owners of the building or structure fail to comply with the order provided for in Section 3.(a)(2). above, including such modifications as may result from the appeal process provided in Section 4, within thirty calendar days from the date of the decision issued by the Building Code Board of Appeals, the Director of Inspections and Permits shall cause such building or structure to be repaired or demolished, as provided for in the order, and shall notify the Corporation Counsel's Office of the cost of such repairs or demolition. The Corporation Counsel shall thereafter cause such costs and a processing fee of five-hundred dollars to be charged against the building or structure, or against the land on which the building or structure exists or existed as a municipal lien or as a benefit assessment, or to be recovered in a suit against the owner or owners and parties having an interest in such building or structure or land.

**Sec. 7-29. Provisions of Other Ordinances, Regulations, Codes or Statutes.**

The provisions of this ordinance shall be supplemental to existing municipal ordinances dealing with housing and/or public health, and shall not limit the provisions of other local, state or federal codes, regulations or statutes as they may apply. If any clause or provision of this ordinance shall conflict with any clause or provisions of any other ordinance or other local, state or federal code, regulations or statute, the more stringent provision shall apply.

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**Sec. 7-29a. Identification of Landlords**

The Town of East Hartford hereby adopts the provisions of Public Act 05-223 requiring non-resident property owners of any rental dwelling unit to file their current residential address with the Director of Inspections and Permits. The Director of Inspections and Permits may issue a citation and assess a civil penalty of two hundred fifty dollars for the first violation and one thousand dollars for any subsequent violation of such filing requirement to any non-resident owner of any occupied or vacant rental dwelling unit who fails to comply with a written request by such director to comply with the provisions of section 1 of Public Act 05-223 within twenty days of the date of such request. Any citation issued under this section may be served by certified mail or by abode

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service at the property located within the town of East Hartford owned by such non-resident owner.

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**ARTICLE 8. ORDINANCE ESTABLISHING CITATION PROCEDURES AND FINES FOR ZONING VIOLATIONS.**

**Sec. 7-30. Authority.**

(a) The Zoning Enforcement Officer, or his designee, is hereby authorized to issue citations for violations of the Zoning Regulations of the Town of East Hartford to the extent and in the manner provided in this section.

(b) Citations may be issued for the following violations of the zoning regulations, and the amount of the civil fine for each violation shall be as follows:

<b>Nature of Violation</b>	<b>Amount of Civil Fine</b>
Construction or alteration of any building Or structure without a special use permit	\$150.00
Failure to comply with site location Requirements	\$150.00
Excavation, grading, filling and/or removal Of soil and other earth products without a permit	\$150.00
Conducting an unauthorized non-residential use in A residential zone	\$100.00
Failure to comply with visibility requirements at Street intersections	\$100.00
Failure to comply with requirements for outdoor Display, exhibit or storage of motor vehicles	\$ 50.00
Failure to comply with buffer strip requirements	\$ 50.00
Construction of a vehicular way of access servicing A business or industrial use through a residential Zone or buffer strip	\$ 50.00
Failure to comply with signage requirements	\$ 25.00
Failure to comply with requirements for coverage And parking of major recreation equipment and Tractor/trailers and trucks	\$ 25.00
Failure to comply with alcoholic liquors requirements	\$150.00
Failure to comply with off-street parking and loading Requirements	\$ 25.00
Failure to comply with yard requirements as set forth In zoning regulations	\$ 25.00
Failure to comply with requirements for maximum Lot coverage as set forth in zoning regulations	\$ 25.00

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(c) Any such citation maybe (1) personally served on the person named in the citation; (2) served by certified mail, return receipt requested, to the person named in such citation or; (3) served on the property where the zoning violation has occurred. The Zoning Enforcement Officer shall maintain an original or certified copy of the citation.

(d) Such citation shall include the following provisions: (1) that the person may pay the fine specified in the citation to the Tax Collector within fifteen days of receipt of such citation or service on the property where the violation occurred; (2) the allegations against him and the amount of the fines; (3) that the person may contest liability before a Hearing Officer appointed by the Mayor as provided in subsection (h) of this section, by delivering, in person or by mail, within ten days of the date of the notice, a written demand for a hearing; (4) that if the person cited does not demand such a hearing, an assessment and judgment will be entered against him; and (5) such judgment will issue without further notice.

(e) If the person who is served such citation wishes to admit liability for any alleged violation, he may, without requesting a hearing, remit the full amount of the civil fine, either in person or by mail, payable to the Town of East Hartford - Tax Collector. 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 fails to pay such fine or demand a hearing shall be deemed to have admitted liability, and the Zoning Enforcement Officer shall certify such failure to the Hearing Officer. The Hearing Officer shall thereupon assess the civil fines provided for in the citation.

(f) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of such notice, provided the Hearing Officer may grant upon good cause shown any reasonable request by such person for a postponement. The presence of either the Zoning Enforcement Officer or the person who issued the citation shall be required at the hearing if so requested by the person named in the citation. Such request must be included with the appeal. A person wishing to contest liability shall appear at the hearing and may present evidence in his behalf, and may be represented by agent or attorney. The Zoning Enforcement Officer or his designee may present evidence *on* behalf of the Town. If the person who received the citation 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 provisions of the Zoning Regulations. The hearing shall be conducted in accordance with the rules of evidence as established in Connecticut General Statutes 54-178. The Hearing Officer shall render a decision within ten days of the hearing. If the Hearing Officer determines that the person who received the citation is not liable, he shall dismiss the matter and enter that determination in writing accordingly. If the Hearing Officer determines that the person who received the citation is liable for the violation, he shall assess the fines against such person as provided in the citation.

(g) If the assessment by the Hearing Officer is not paid to the Tax Collector within ten days of the decision of the Hearing Officer, the procedures set out in Connecticut General Statutes §7-152(f) shall apply.

(h) The Mayor shall appoint one or more citation Hearing Officers to conduct the hearings provided in subsection (f) of this section. Neither the Zoning .Enforcement Officer, the Building Inspector nor any employee of the Town who exercises *zoning* authority maybe

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appointed as a Hearing Officer.

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