

AN ORDINANCE RELATING TO DELINQUENT TAXPAYERS

BE IT ORDAINED by the Town Council of Town of Plainville in meeting duly assembled, that pursuant to the Charter of the Town of Plainville and Section 7-148 of the Connecticut General Statutes, the following ordinance is adopted:

SECTION 1.

(a). The Town of Plainville has several taxpayers who are delinquent in paying their municipal taxes, sewer user charges, assessments, penalties and/or fines, and the Town wishes to decrease the number of taxpayers who are so delinquent.

(b). C.G.S. § 7-148(c)(2)(B) provides, inter alia, that a municipality shall have the power to establish a procedure for withholding of approval of building applications where municipal taxes, sewer user charges, assessments, penalties and/or fines imposed by the municipality are delinquent for the property for which the application was made.

(c). The Town of Plainville wishes to prohibit the granting of building permits, certificates of occupancy and/or construction permits for improvements or changes in real property to persons who are delinquent on their municipal taxes, sewer user charges, assessments, penalties and/or fines.

(d). C.G.S. § 12-146(a) provides, inter alia, that a municipality may withhold or revoke any license or permit to operate a business enterprise if any taxes levied against personal property used in such business enterprise are delinquent, and have been so delinquent for a period of not less than one year, and the municipality wishes to prohibit the granting of licenses or take action to revoke any license or permit while such personal property taxes are delinquent.

SECTION 2.

(a). No building permit, certificate of occupancy, and/or other construction permit for improvements or changes in real property shall be issued for any real property for which there are delinquent municipal taxes, sewer user charges, assessments, penalties and/or fines.

(b). Any license or permit for a business enterprise may be revoked, and no license or permit to operate a business enterprise shall be issued, if any taxes levied by the Town against personal property used in such business are delinquent and have been so delinquent for a period of not less than one year.

SECTION 3.

The following procedure is hereby established in implementing this Ordinance:

(a). Revenue Collector of the Town of Plainville shall maintain a list of all properties and property owners who are delinquent under the terms of this Ordinance in the municipal taxes, sewer user charges, assessments, penalties and/or fines.

(b). Before approving or renewing any building application for property which appears on the Revenue Collector's delinquency list, the Building Official shall require the applicant to obtain written certification from the Revenue Collector that the delinquent municipal taxes, sewer user charges, assessments, penalties and/or fines have been paid in full including all statutory interest and lien fees.

(c). Upon written request of the applicant to the Town Manager setting out just cause therefore and the submission of such other information as the Town Manager may require, the Town Manager may waive the requirements of Subsection B above when he determines that the interests of public health, safety or welfare are better served by allowing the proposed improvements to, or demolish upon the real property concerned. Upon the issuance of such waiver, the Building Official may grant a building application without the payment of all the delinquent municipal taxes, sewer user charges, assessments, penalties and/or fines.

(d). Before approving or renewing any license or permit to operate a business enterprise for property which appears on the Revenue Collector's last filed delinquency list, the Health Department shall require the applicant to obtain written certification from the Revenue Collector that delinquent personal property taxes have been paid in full, including all statutory interest.

SECTION 4.

That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5.

This Ordinance shall take effect after passage, and 30 days after publication.

Adopted by the Town Council November 6, 2006