

**ORDINANCE NO. __ SUPPLEMENTAL
AMENDING CHAPTER 88 OF THE CODE OF ORDINANCES,
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, pursuant to the provisions of §§7-147(a) through 7-147(k) of the Connecticut General Statutes, the City of Stamford has established an Historic District within its confines as embodied in Chapter 28 of the Stamford Code of Ordinances; and

WHEREAS, it has been determined that Chapter 88 of the Stamford Code of Ordinances regarding the demolition of buildings, structures or parts thereof is in need of revision to incorporate within its provisions (1) revised notice provisions to enhance the notice to be provided to the general public of a requested demolition, as well as notice to adjoining property owners within three hundred (300) feet of any building, structure or part thereof, for which an application for demolition has been filed with the Building Official of the City of Stamford, (2) additional provisions for the protection of buildings, structures or parts thereof contained within the boundaries of any historic district or which have been designated as an historic property, as contemplated by the provisions of Chapter 97a of the Connecticut General Statutes; and (3) enforcement provisions

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

Chapter 88 of the Code of Ordinances of the City of Stamford shall be amended, as follows:

Sec. 88-1. Definitions.

For the purposes of this chapter, the following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant: Any person or entity who files an application with the City of Stamford for a demolition permit.

Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Demolition means any wrecking activity directed to the disassembling, dismantling, dismembering and/or razing of any structure or fixtures and parts thereof not exempted under the provisions of Section 29-402(c) of the Connecticut General Statutes; and also includes the act or process of delaying or withholding maintenance of a building or structure in such a way as to cause or allow significant loss of architectural integrity or structural stability.

Structure means an assembly of materials above or below ground level forming a construction for occupancy or use including, but not limited to, buildings, stone walls, stadiums, platforms, radio towers, storage tanks, towers, trestles, piers, wharves, sheds, coal bins, bridges, boilers, shelters and display signs. The term structure shall include a structure or any part or parts thereof.

Sec. 88-2. Permit required; requisites for issuance.

A. No person, firm, corporation or other entity shall demolish any building, structure or part thereof without first obtaining a permit from the Building Department. Any person wishing to obtain a permit shall file an application on a form provided by the Building Department.

which shall include the following:

1. The common name, if any, and actual street address of the building or structure to be demolished;
 2. Tax assessor's property ID;
 3. The name, address and telephone number of the owner of the building or structure to be demolished;
 4. The age of the building or structure to be demolished and the source of the age determination;
 - a. If the age of the building or structure is unknown, not indicated, or in dispute it shall be assumed to be at least 50 years old for the purpose of this Chapter.
 5. The square footage or dimensions of the building or structure to be demolished;
 6. A brief description of the materials, configuration and use of the existing building(s) or structure(s);
 7. One or more recent photographs of the building or structure showing all four elevations and the streetscape plus an aerial view or map;
 8. The reason for requesting a demolition permit;
 9. A brief description of the proposed reuse, reconstruction or replacement for the existing building; and;
 10. The names and addresses of all owners of property within a radius of three hundred (300) feet of the property upon which the building, structure or part thereof to be demolished is located, according to an attached copy of a pertinent portion of the current Assessor's map.
- B. If the applicant is not the owner of the premises upon which the building or structure is situated, the owner must sign an affidavit authorizing a permittee/licensed demolition contractor to execute the application on behalf of the owner.
- C. No such permit shall be issued until:
1. A.—The applicant complies with the provisions of Connecticut General Statutes Section 29-406, to include providing a certificate of insurance that names the City of Stamford, its officers, agents and employees as an additional insured;
 2. B.—The applicant supplies the Building Department with a certificate from a licensed exterminator which certifies that the ~~building or structure~~ premises to be demolished is free from rodent and insect infestation.
 3. C.—The notice requirements of sections 88-3 and 88-4 below are complied with, to the extent that they are applicable to the proposed demolition.

Sec. 88-3. Notice requirements generally.

No permit shall be issued by the Building Department, which authorizes any building, structure or part thereof to be demolished until the following notice requirements have been satisfied:

- A. The applicant desiring to perform such demolition shall provide a written notice of the proposed demolition, approved by the Building Department, via registered or certified mail to all owners of property within a radius of ~~three one-hundred (300+00)~~ three hundred (300) feet of the property upon which the building, structure or part thereof to be demolished is located,

all as verified from the most current Real Property Records on file in the Office of the City of Stamford Tax Assessor (or the actual owners of record if otherwise known to the applicant). Such written notice shall be so mailed at least thirty (30) days prior to the date of the proposed demolition and such notice shall contain the common name, if any, and the street address of the building, structure or part thereof to be demolished, the name and address of the owner of said building, structure or part thereof, and the date of the proposed demolition in bold, italicized lettering. The certified mail receipts shall be submitted to the Building Department at the time of the application.

- B. For a ~~fifteen-thirty (4530)~~ day period preceding the date upon which any building, structure or part thereof which is five hundred (500) square feet in size or larger is scheduled to be demolished, the applicant must conspicuously post upon the premises on which such building, structure or part thereof is located, signage providing notice to the public of the proposed demolition. Such signage shall directly face the street(s) or thoroughfare(s) upon which said premises is located and shall be of the following dimensions: two (2) feet wide and three (3) feet long. Such signage shall further contain a full description of the of the building, structure or part thereof to be so demolished, including its street address; the name and address of the owner(s) of said premises, and the date of the proposed demolition in block letters of at least two (2) inches in size.

Sec. 88-4. Notice requirements for older buildings.

With respect to any application to demolish a 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, in addition to the applicant complying with the provisions of §§ 88-2 and 88-3 above, prior to the issuance of a demolition permit, the Chief Building Official, or his designee, shall:

- A. Publish a legal notice of the demolition permit application in a daily or weekly newspaper having a substantial circulation within the municipality. The notice shall be published within seven (7) days following the filing of the demolition permit application. Such notice shall state the following: that an application has been filed for a demolition permit; the date of the filing of such application; the common name, if any, a photograph of the structure to be demolished, the location-street address of the property upon which the proposed demolition is being sought; the name and address of the owner of said property, the proposed date of demolition, the age of the building or structure to be demolished, and that unless written objection is filed with the Chief Building Official within ~~fifteen-twenty (20)~~ days of publication of the notice, the permit may be issued after the expiration of such ~~fifteen-twenty (20)~~ day period.
- B. Within seven (7) days following the filing of the demolition permit application, provide, by ~~first class certified~~ mail, a copy of the legal notice required under Subsection 88-4.A above, plus at least one photograph of the building(s) or structure(s) for which the proposed demolition permit is sought, to: all historic district commissions of the City and the State, including the Stamford Historic Preservation Advisory Commission, the Old Long Ridge Historic District Commission, and the Connecticut Historic Preservation Council, or their successors, the Stamford Historical Society, or its successor, and to any individual, firm, corporation, or organization who has requested in writing from the City of Stamford Building Inspection Department and indicate a desire to be notified of demolition permit applications. Such registration must be renewed annually each January 1 following the initial registration. ~~Department copies of~~

any such notices pursuant to this ordinance.

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 §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 ~~fifteen~~-twenty (20) days following publication of the legal notice as required pursuant to §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 ~~fifteen~~-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 Commission Preservation Council, their successor organizations, or other historic preservation commission or organization is attempting to find a purchaser who will retain or remove such building, 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 ~~or building~~, structure or part thereof.
- C. Notwithstanding the foregoing provisions of this chapter, ~~the Chief Building Official may impose a waiting period of not~~ 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 before granting any permit for the demolition of any building, structure or part thereof, in accordance with the provisions of §29-406(b) of the Connecticut General Statutes. In any event, a demolition permit may not be delayed or stayed in excess of one hundred eighty (180) days total.

Section 88-6. Violations and penalties.

- A. The Building Official is authorized to institute any and all actions or proceedings, in law or in equity, as he/she may deem necessary and appropriate to obtain compliance with the requirements of this chapter or to prevent a threatened violation thereof.
- B. During the application processing period and during the demolition delay period, if applicable, the owner shall take reasonable steps to protect the building or structure to prevent deterioration.

- C. 1. Any person failing to abide by the provision of this chapter or Connecticut General Statutes Sections 29-401 through 29-415 shall be fined not more than five hundred dollars (\$500) or imprisoned not more than one year or both pursuant to Connecticut General Statutes Section 29-414. All fines imposed shall be collected and made payable to the City of Stamford.