

206. AN ORDINANCE REQUIRING NONRESIDENT OWNERS OF REAL PROPERTY TO FILE A CURRENT RESIDENTIAL ADDRESS WITH THE CITY OF GROTON BUILDING AND ZONING OFFICE (INITIALLY APPROVED MAY 5 2014; FINALLY APPROVED JUNE 2, 2014

Purpose

This Ordinance is enacted pursuant to the Connecticut General Statutes (C.G.S.) Section 47a -6a and Section 47a – 6b. The City of Groton has an interest in maintaining state and local laws and codes regarding real property and periodically needs to communicate with property owners concerning compliance with state and local laws and codes. The purpose of this ordinance is to require owners to file a current address with the City so that they may receive notifications from the City in a timely manner.

Definitions

For the purpose of this Ordinance, the following words, terms and phrases shall have the following meanings, unless the context indicates otherwise:

- A. Address. A location as described by the full street number, if any, the street name, the city or town, and the state, and not a mailing address such as a post office box.
- B. Agent in Charge. One who manages real estate, including, but not limited to, the collection of rents and supervision of property.
- C. Building and Zoning Office. Office of the Building Official as defined in C.G.S., Section 29-260.
- D. Dwelling unit. Any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of one or more persons, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways or yards.
- E. Nonresident Owner. Owner of the property not living on the property

I. Requirement

Nonresident owners of occupied or vacant rental real property are required by the City of Groton to maintain on file in the office of the City of Groton Building and Zoning Office, the current residential address of the nonresident owner of such property, if the owner is an individual, or the current residential address of the agent in charge of the building, if the nonresident owner is a corporation, partnership, trust or other legally recognized entity owning rental real property in the state. If such residential address changes, notice of the new residential address shall be provided by such nonresident owner or agent in charge of the building to the office of the City of Groton Building and Zoning Office not more than twenty-one days after the date that the address change occurred. If the nonresident owner or agent fails to file an address under this section, the address to which the Town of Groton mails property tax bills for the rental real property shall be deemed to be the nonresident owner or agent's current address. Such address may be used for compliance with the provisions of subsection (c) of this section. The city made by resolution, may establish a fee for Landlord Registration Form

II. Property Owner Notification

Service of State or City orders relating to maintenance of such rental real property or compliance with state law and local codes concerning such real property directed to the nonresident owner or agent at the address on file, or deemed to be on file in accordance with the provisions of this section, shall be sufficient proof of service of notice of such orders in any subsequent criminal or civil action against the owner or agent for failure to comply with the orders. The provisions of this section shall not be construed to limit the validity of any other means of giving notice of such orders that may be used by the state or by the City of Groton.

III. Enforcement: Infraction And Civil Penalties

- a. Infraction: Pursuant to C.G.S. 47a-6a, any person who violates any provision of this section shall have committed an infraction with a penalty of \$90.
- b. Civil Penalty: Pursuant to C.G.S. 47a-6b, any person or entity who fails to comply with Section III of this Ordinance may be assessed a civil penalty of two hundred fifty dollars (\$250) for the first violation and one thousand dollars (\$1000) for any subsequent violation.
 - i. Any person who is assessed a civil penalty pursuant to this section may appeal therefrom to the Superior Court. An appeal shall be instituted not later than thirty days after the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to C.G.S. Section 52-259, at the Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.
- c. No person or entity shall be found guilty of a violation pursuant to Section IV (a) and a civil penalty pursuant to Section IV (b) of this Ordinance for the same occurrence.

WHEREAS, this Ordinance was published in The Day, a newspaper having general circulation in the City of Groton on May 9, 2014 and May 10, 2014; and

WHEREAS, this Ordinance shall become effective ten (10) days after final passage;

THEREFORE, BE IT RESOLVED that the Mayor and Council finally approve “An Ordinance requiring nonresident owners of real property to file a current residential address with the City of Groton Building and Zoning office”.

Initially approved: May 5, 2014

Finally approved: June 2, 2014


Marian K. Galbraith, Mayor


Debra Patrick, City Clerk