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**CITY OF DANBURY**  
**OFFICE OF THE CORPORATION COUNSEL**

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April 23, 2012

Hon. Mayor Mark D. Boughton  
Hon. Members of the City Council  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Amendment to Code of Ordinances Section 6-1(a)  
Withholding Approvals/Delinquency

Dear Mayor and Council Members:

Attached you will find a proposed amendment to the section of our Code of Ordinances that presently permits the withholding of "building applications" where someone is delinquent on a variety of payments to the City (i.e. taxes, utility).

As is consistent with State law allowing such withholdings, we seek to clarify the portion of this section that defines what may be withheld in the event of such delinquency. This will now include all building approvals from the initial building application through the issuance of a final certificate of occupancy. While we feel this has always been the intent of the section, it is best to clarify and set it forth in clear language.

The Building Department and the City Permit Center typically coordinate such approvals and would work together in implementing the change, consistent with present practices.

Please refer this item to committee and/or Public Hearing for further consideration.

Very truly yours,

Laszlo L. Pinter  
Deputy Corporation Counsel

Attachment

cc: Sean Hearty, Director of Permit Coordination/ZEO  
Leo Null, Building Official

Lip/withhold

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# ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

\_\_\_\_\_ A.D. 2012

**Be it ordained by the City Council of the City of Danbury:**

That Section 6-1 (a) of the Code of Ordinances of Danbury, Connecticut, is hereby amended to read as follows:

Sec. 6-1. - Withholding building approvals where Applicant is delinquent.

- (a) *Approval withheld.* Pursuant to the provisions of section 7-148 of the Connecticut General Statutes, and except when otherwise provided in subsection (b) hereof, the building official of the City of Danbury shall withhold approval of building and building-related applications and approvals when taxes or water or sewer rates, charges or assessments imposed by the City of Danbury are delinquent for the property for which an application was made.
- (b) *Exceptions.* Notwithstanding the provisions of subsection (a) hereof, the building official may:
- (1) Issue a demolition permit;
  - (2) Issue a permit to perform repairs to an existing structure which is unsafe within the meaning of the State Building Code if the building official determines that such repairs should be performed immediately to protect the safety of the public or of the occupants of the structure; or
  - (3) Issue a permit to perform work to restore a structure damaged by fire, provided that the building official obtains evidence satisfactory to the City of Danbury that the city will receive the proceeds of a fire insurance policy in an amount sufficient to cover any such delinquency.

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

That Section 6-1 (a) of the Code of Ordinances of Danbury, Connecticut, is hereby amended to read as follows:

Sec. 6-1. - Withholding building APPROVALS WHERE APPLICANT IS ~~applications when taxes or public utility fees are delinquent.~~

(a) *Approval withheld.* Pursuant to the provisions of section 7-148 of the Connecticut General Statutes, and except when otherwise provided in subsection (b) hereof, the building official of the City of Danbury shall withhold approval of building AND BUILDING-RELATED ~~applications~~ AND APPROVALS when taxes or water or sewer rates, charges or assessments imposed by the City of Danbury are delinquent for the property for which an application was made.

b) *Exceptions.* Notwithstanding the provisions of subsection (a) hereof, the building official may:

- (1) Issue a demolition permit;
- (2) Issue a permit to perform repairs to an existing structure which is unsafe within the meaning of the State Building Code if the building official determines that such repairs should be performed immediately to protect the safety of the public or of the occupants of the structure; or
- (3) Issue a permit to perform work to restore a structure damaged by fire, provided that the building official obtains evidence satisfactory to the City of Danbury that the city will receive the proceeds of a fire insurance policy in an amount sufficient to cover any such delinquency.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.