

To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at www.norwalkct.org/meetings.



Members of the public can use a telephone to call in, attend, listen and comment during the meeting. However, they will not be able to see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. For the current meeting, the **meeting ID is 828 7379 8981**, the **passcode is 377930** and the **call in number is 646-558-8656**. The information can also be found using the link above.



Upon written request not less than 24 hours prior to the meeting, a member of the public can request a physical location to attend this virtual meeting at City Hall. Such a member of the public will be provided access to a telephone so that they can attend the meeting in real time. The member of the public can call in, attend, listen and comment during the meeting. However, they will not be able to see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. For the current meeting, the **meeting ID is 828 7379 8981**, the **passcode is 377930** and the **call in number is 646-558-8656**. The information can also be found using the link above. A set of instructions will be left with the telephone for the member of the public to use in order to access the meeting.



Members of the public who wish to “view the meeting live” and/or “provide live comments” can use the Zoom meeting platform by going to www.norwalkct.org/meetings and clicking on the “View/Participate Live on Zoom” link that is on the line with the meeting date and time. All participants will be muted upon entering the meeting. To speak, click the “raise your hand indicator” and you will be called on by the host of the meeting during the public comment section.



Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

COMMON COUNCIL ORDINANCE COMMITTEE
REGULAR MEETING

November 15, 2022
7:00 p.m. – By Videoconference and Teleconference

AGENDA

- 1. ROLL CALL:**
- 2. PUBLIC HEARING (possible action on):**
 - Discuss and Vote on Temporary Prohibition of all Cannabis Establishments.
- 3. PUBLIC HEARING DISCUSSION:**
- 4. PUBLIC COMMENT:**
- 5. ACCEPTANCE OF MINUTES:**
 - October 18, 2022 – regular meeting of the ordinance committee.
- 6. OLD BUSINESS:**
 - Discuss Chapter 55 - Demolition Delay ordinance.
- 7. NEW BUSINESS:**
 - Discuss Leaf Blowers.
- 8. DISCUSSION ITEM:**
- 9. ADJOURNMENT:**

PUBLIC NOTICES

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, November 15, 2022 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on the Temporary Prohibition of all Cannabis Establishments. Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by November 11, 2022.

Temporary Prohibition of all Cannabis Establishments

Purpose

The purpose of this regulation, in accordance with the authority granted under Section 148 of Public Act No. 21-1 of the June 2021 Special Session, "An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis," is to temporarily prohibit adult-use cannabis establishments in the City of Norwalk.

Definitions

"Cannabis" means marijuana, as defined in section 21a-240 of the general statutes;

"Cannabis Establishment" means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter, as those terms are defined in Section 1 of Public Act 21-1; and

"Connecticut State Regulation of Cannabis" means Section 148 of Public Act No. 21-1 of the June 2021 Special Session, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.

Prohibition

In accordance with the authority granted under Connecticut State Regulation of Cannabis, all Cannabis Establishments are prohibited in all zoning districts in the City of Norwalk until the effective date of the amendments to the City's zoning regulations regarding Cannabis Establishments.

Effective Date

This Chapter shall be effective 10 days following approval by the City of Norwalk's Common Council.

Dated at Norwalk, Connecticut this _____ day of October 2022.

ATTEST:

Irene Dixon, City Clerk

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, November 15, 2022 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on the Temporary Prohibition of all Cannabis Establishments. Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by November 11, 2022.

Temporary Prohibition of all Cannabis Establishments

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"Connecticut State Regulation of Cannabis" means Section 148 of Public Act No. 21-1 of the June 2021 Special Session, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis.

Prohibition

In accordance with the authority granted under Connecticut State Regulation of Cannabis, all Cannabis Establishments are prohibited in all zoning districts in the City of Norwalk- until the effective date of the amendments to the City's zoning regulations regarding Cannabis Establishments. for a period of 9 months.

Effective Date

This Chapter shall be effective 10 days following approval by the City of Norwalk's Common Council. The Temporary Prohibition of all Cannabis Establishments shall expire on March 1, 2023, or the effective date of the amendments to the City's zoning regulations to allow retail sales of recreational Cannabis., whichever occurs first. This Chapter shall be effective 10 days following approval by the City of Norwalk's Common Council.

Dated at Norwalk, Connecticut this 19th day of October 2022.

ATTEST: Irene T. Dixon
Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, November 4, 2022

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
OCTOBER 18, 2022**

ATTENDANCE: Lisa Shanahan, Chairman; Joshua Goldstein, Tom Livingston,
Dominique Johnson, Nora Niedzielski-Eichner,

STAFF: Atty. Brian Candela

OTHERS: Diane Lauricella, Diane Cece

CALL TO ORDER

Ms. Shanahan called the meeting to order at 7:05 p.m. A quorum was present.

PUBLIC HEARING
(possible action on)

There were no items to consider at this time.

PUBLIC HEARING DISCUSSION

There were no items to discuss at this time.

PUBLIC COMMENT

Ms. Diane Lauricella greeted the Council Members and staff. She said that she wished to speak on the Affordable Housing Ordinance. She is pleased that they are looking at different pathways for people to have housing.

On Page 11 in the packet, she said that the discussion was wonderful, but suggested a different term for the “remaining a city” to “becoming a city with affordable housing”. In Section 1.2, which begins with the phrase “When the Committee empowers” she suggested adding some individuals that are familiar with construction to participate with awarding the funding. She requested that funding spent on reconstruction or remodeling on the project that there be a requirement for green building.

She said that they also consider tiny homes as part of this. Originally the Planning Commission prohibited tiny homes because they are on wheels.

Ms. Diane Cece said that she was seeing the ordinance for the first time and wished to know when the Public Hearing would be scheduled.

Ms. Shanahan said that the Affordable Housing Ad Hoc Committee was still working on the draft and it was on the agenda just as an update for the Ordinance Committee.

Ms. Cece asked who she should submit her comments on the ordinance to. Atty. Candela said that she should forward them to him and he would see that Mr. Burnett, the Chair of the Ad Hoc Committee received them.

Ms. Shanahan closed the Public Comment portion of the meeting.

ACCEPTANCE OF MINUTES

- **September 20, 2022** – Regular Meeting of the Ordinance Committee

**** MR. LIVINGSTON MOVED THE MINUTES OF THE SEPTEMBER 20, 2022 ORDINANCE COMMITTEE.**

A discussion followed regarding various changes to the minutes and the correction of the spelling of names. Please change all references to “marijuana” to “cannabis”.

**** THE MOTION TO ACCEPT THE MINUTES AS AMENDED PASSED UNANIMOUSLY.**

OLD BUSINESS

- **Discuss and Vote on Temporary Prohibition of all Cannabis Establishments**

Mr. Goldstein said that the Ordinance Committee’s work was contingent on the Zoning Committee.

Atty. Candela then read the text of the Effective Date, which states:

The Temporary Prohibition of all Cannabis Establishments shall expire on March 1, 2023, or the effective Date of the amendment to the City’s zoning regulations to allow retail sales of recreational Cannabis, ~~whichever occurs first. This Chapter shall be effective 10 days following approval by the City of Norwalk’s Common Council.~~

A discussion followed regarding changing the effective date, and a potential extension of the prohibition section which reads:

City of Norwalk
Ordinance Committee
Regular Meeting
October 18, 2022

In accordance with the authority granted under Connecticut State Regulation of Cannabis, all Cannabis Establishments are prohibited in all zoning districts in the City of Norwalk for a period of 9 months.

Several changes to the texts were made and duly noted by Atty. Candela.

**** MR. GOLDSTEIN MOVED TO SCHEDULE THE AMENDED DOCUMENT FOR A PUBLIC HEARING.**

**** THE MOTION PASSED UNANIMOUSLY.**

• Discuss the Affordable Housing Ordinance.

Atty. Candela said that the Affordable Ad Hoc Housing Ordinance had met and he then provided the Committee with a brief overview of the various presentation and processes involved. Discussion followed. Atty. Candela pointed out that once the Ad Hoc Committee finishes their work, it will be presented to the Ordinance Committee.

NEW BUSINESS

There were no items to consider at this time.

DISCUSSION ITEM

There were no items to discuss at this time.

ADJOURNMENT

**** MR. GOLDSTEIN MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:07 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

City of Norwalk
Ordinance Committee
Regular Meeting
October 18, 2022

Chapter 55. Demolition Delay

§ 55-1. Purpose.

The purpose of this chapter is to promote the educational, cultural, economic, and general welfare of the City of Norwalk, to establish a procedure whereby owners of buildings with significant historic characteristics will be informed of the economic, tax, aesthetic, and other benefits of historic preservation, and to further the preservation, rehabilitation, and reuse of architecturally significant buildings and structures by providing adequate time for all parties to consider and put forth appropriate development alternatives to demolition, including attempts to find a purchaser who will retain or remove such historic or architecturally significant building or structure or who will present some other reasonable alternative to the last resort of demolition.

§ 55-2. Definition.

- A. "Demolition," "Demolish," or "Demolished" means any wrecking activity directed to the disassembling, dismantling, dismembering, and/or razing of the exterior of any building or structure or part thereof. The term shall not be construed to prevent the ordinary maintenance or repair of any building or structure or part thereof that does not involve a change in the design thereof, including, without limitation, the replacement of windows, doors, siding, or roof.
- B. "Part thereof" means fifty percent or more of a building or structure, as measured on ground level and above, as determined by the Chief Building Officer.

§ 55-3. Permit required.

No person shall Demolish any building, structure, or part thereof without first obtaining a permit from the Chief Building Official. Such permit shall be issued except as otherwise provided in this chapter and pursuant to Section 29-406 of the Connecticut General Statutes, as amended.

§ 55-4. Permit requirements for certain structures.

If the building, structure, or part thereof to be Demolished is (a) at least 50 years old or (b) listed on the Historic Norwalk Resources Inventory, as amended from time to time, then no permit shall be issued except in compliance with the provisions of this chapter and Section 29-406 of the Connecticut General Statutes, as amended.

§ 55-5. Application procedure.

Any application to the Chief Building Official for a permit to Demolish any building, structure, or part thereof pursuant to the provisions of § 55-4 shall be subject to the following procedure:

PROPOSED AMENDMENTS

11-7-22

- A. The application for a Demolition permit shall include the following information:
- (1) Common name, if any, and actual street address of the building, structure, or part thereof to be Demolished;
 - (2) The name, address and telephone number of the owner(s) of the building, structure, or part thereof to be Demolished;
 - (3) The age of the building, structure, or part thereof to be Demolished;
 - (4) The square footage or dimensions of the building, structure, or part thereof to be Demolished;
 - (5) One or more current photographs of the building, structure, or part thereof to be Demolished showing the affected area(s);
 - (6) The reasons for requesting a Demolition permit;
 - (7) A brief description of the proposed reconstruction or replacement for the building, structure, or part thereof to be Demolished; and
 - (8) The names and addresses of the owners of all properties adjoining and [immediately adjacent across the street] from the building, structure, or part thereof to be Demolished, according to an attached copy of the pertinent portion of the current assessor's map.
- B. Within 10 days following the initial submission of an application for a Demolition permit, the applicant shall:
- (1) deliver a copy of such application by certified mail and electronic mail to the Norwalk Historical Commission, the Director of Planning and Zoning, and any individual, firm, corporation, organization, or other entity which has requested, in writing, from the Chief Building Official copies of such application(s);
 - (2) deliver copies of a notice of intent to Demolish (the "Notice") to the owners of all properties adjoining and [immediately adjacent across the street] from the property on which the building, structure, or part thereof to be Demolished is situated via registered or certified mail; and
 - (3) Post in a conspicuous location on the property on which the building, structure, or part thereof to be Demolished is situated a sign at least 24 inches by 36 inches in size visible from the nearest street or other accessway adjoining the property. Such sign shall include copy of the Notice and shall contain the word "DEMOLITION" in capital letters no less than two inches in height. The sign required hereunder shall remain posted on the property if the permit is issued until the completion of all Demolition activities authorized by the permit.

- C. Within 14 days following the initial submission of the application for a permit to Demolish, the applicant shall file with the Chief Building Official a statement verified under oath on a form approved by the Chief Building Official certifying that all of the delivery requirements under § **55-5B** have been satisfied and attaching thereto a copy of the Notice, as well as evidence of mailing as required under subsection B(2) above. Upon filing the certification statement, the application is deemed filed. If any delivery requirement is not complied with, the Chief Building Official shall reject the application as incomplete.

- D. In the event that a written acknowledged objection is filed with the Chief Building Official and the Norwalk Historical Commission within 21 days after filing the certification statement as required by § **55-5C**, the Chief Building Official shall not issue the permit until 180 days after the application is deemed filed or such earlier date that such objection is withdrawn by the party filing same. The sole basis for such objection shall be that the building, structure, or part thereof proposed to be Demolished is not architecturally or historically significant. If no such written objection is filed within 21 days after the filing of the certification statement, the Chief Building Official may issue the Demolition permit, provided that all other applicable requirements have been complied with.

- E. The Norwalk Historical Commission may hold a public hearing on any application to which an objection has been filed and may issue recommendations on alternatives to Demolition to the Chief Building Official.

- F. In no event shall the issuance of a Demolition permit be delayed for more than 180 days from the date the application is deemed filed.

§ 55-6. Demolition by Neglect.

Throughout the Demolition delay period imposed under § **55-5**, the owner of record of the building, structure, or part thereof proposed to be Demolished shall secure and maintain such building, structure, or part thereof in a manner that minimizes the risk of water penetration, vandalism, fire, or other significant damage and otherwise complies with Section 29-408 of the Connecticut General Statutes, as amended. Partial Demolition, including the removal of windows, doors, roofing, or any other building material, is expressly prohibited during the Demolition delay period, except to extent required by law or permitted by the Chief Building Official.

§ 55-7. Exceptions.

This chapter shall not apply to: (1) any structure determined to be unsafe by the Chief Building Official according to the State of Connecticut Basic Building Code or as defined as a Hazardous Building under § 26-11 of the Norwalk Code; (2) any structure that is less than 400 square feet in size; (3) the lifting of a building, structure, or part thereof to comply with regulations of the Federal Emergency Management Agency (FEMA) or the City of Norwalk governing coastal flooding, provided such lifting does not involve a

change in design of such building, structure, or part thereof; or (4) any structure determined to be a threat to public health by the Director of Health.

§ 55-8. Violation and fines; Lapse of permit. [subject to further review]

- A. Any person failing to abide by the provisions of this chapter or Connecticut General Statutes §§ 29-401 through 29-415, as amended, shall be fined not more than \$250, with each day of such violation constituting a separate violation. All fines imposed under this chapter shall be collected and made payable to the City of Norwalk.
- B. In addition to other penalties and remedies provided in this chapter, in the case of full or partial Demolition of any building or structure in the absence of or in advance of a valid Demolition permit, the Building Official may impose a restriction on the property of [not more than two years] during which no earthwork, landscaping, construction, or further Demolition may take place on the subject property or on any adjoining parcels under common ownership and control without the review and approval of the Norwalk Historical Commission. The restriction may only be lifted by written agreement of the Building Official and the Norwalk Historical Commission.
- C. If Demolition is not commenced within six months after issuance of a permit, such permit shall be deemed null and void.

§ 55-9. Report of Chief Building Official.

The Chief Building Official shall issue an annual report to the Mayor, the Common Council, and the Norwalk Historical Commission concerning the number of Demolition applications filed, the number of applications subject to this chapter, the number of applications that were objected to, and whether the buildings, structures, or parts thereof subject to such applications were actually Demolished.

PROPOSED AMENDMENTS
11-7-22

Chapter 55. Demolition Delay

§ 55-1. Purpose.

The purpose of this chapter is to promote the educational, cultural, economic, and general welfare of the City of Norwalk, to establish a procedure whereby owners of buildings with significant historic characteristics will be informed of the economic, tax, aesthetic, and other benefits of historic preservation, and to further the preservation, rehabilitation, and reuse of architecturally significant buildings and structures by providing adequate time for all parties to consider and put forth appropriate development alternatives to demolition, including attempts to find a purchaser who will retain or remove such historic or architecturally significant building or structure or who will present some other reasonable alternative to the last resort of demolition.

§ 55-2. Definition.

- A. "Demolition," ~~or "Demolish,"~~ **or "Demolished"** means any wrecking activity directed to the disassembling, dismantling, dismembering, and/or razing of the exterior of any building or structure or part thereof. The term shall not be construed to prevent the ordinary maintenance or repair of any building or structure or part thereof that does not involve a change in the design thereof, including, without limitation, the replacement of windows, doors, siding, or roof.
- B. "Part thereof" means fifty percent or more of a building or structure, as measured on ground level and above, as determined by the Chief Building Officer.

§ 55-3. Permit required.

No person shall ~~Demolish~~ any building, structure, or part thereof without first obtaining a permit ~~for the particular demolition undertaking~~ from the Chief Building Official. Such permit shall be issued except as otherwise provided in this chapter and pursuant to Section 29-406 of the Connecticut General Statutes, as amended.

§ 55-4. Permit requirements for certain structures.

If the building, structure, or part thereof to be ~~Demolished~~ is (a) at least 50 years old or (b) listed on the Historic Norwalk Resources Inventory, as amended from time to time, then no permit shall be issued except in compliance with the provisions of this chapter and Section 29-406 of the Connecticut General Statutes, as amended.

§ 55-5. Application procedure.

Any application to the Chief Building Official for a permit to ~~Demolish~~ any building, structure, or part thereof pursuant to the provisions of § **55-4** shall be subject to the following procedure:

PROPOSED AMENDMENTS
11-7-22

A. The application for a Demolition permit shall include the following information:

- (1) Common name, if any, and actual street address of the building, structure, or part thereof to be Demolished;
- (2) The name, address and telephone number of the owner(s) of the building, structure, or part thereof to be Demolished;
- (3) The age of the building, structure, or part thereof to be Demolished;
- (4) The square footage or dimensions of the building, structure, or part thereof to be Demolished;
- (5) One or more current photographs of the building, structure, or part thereof to be Demolished showing the affected area(s);
- (6) The reasons for requesting a Demolition permit;
- (7) A brief description of the proposed reconstruction or replacement for the building, structure, or part thereof to be Demolished; and
- (8) The names and addresses of the owners of all properties adjoining and [immediately adjacent across the street] from the building, structure, or part thereof to be Demolished, according to an attached copy of the pertinent portion of the current assessor's map.

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~~B. Within 10 days following the initial submission of an application for a Demolition permit, the applicant shall:~~

~~B. — send a copy of such application by certified mail and electronic mail to the Norwalk Historical Commission, the Director of Planning and Zoning, and any individual, firm, corporation, organization, or other entity which has requested, in writing, from the Chief Building Official copies of such applications.~~

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~~C. Within 10 days following the initial submission of an application for a demolition permit, the applicant shall:~~

~~(1) deliver a copy of such application by certified mail and electronic mail to the Norwalk Historical Commission, the Director of Planning and Zoning, and any individual, firm, corporation, organization, or other entity which has requested, in writing, from the Chief Building Official copies of such application(s);~~

~~(1)(2) deliver~~ Mail copies of a notice of intent to Demolish (the "Notice") ~~(hereinafter referred to as the "notice")~~ to the owners of all properties adjoining and [immediately adjacent across the street] from the property on which the building, structure, or part thereof to be Demolished is situated via registered or certified mail; and

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PROPOSED AMENDMENTS
11-7-22

~~(2)~~(3) Post in a conspicuous location on the property on which the building, structure, or part thereof to be Demolished is situated a sign at least 24 inches by 36 inches in size visible from the nearest street or other accessway adjoining the property. Such sign shall include copy of the Notice and shall contain the word "DEMOLITION" in capital letters no less than two inches in height. The sign required hereunder shall remain posted on the property if the permit is issued until the completion of all Demolition activities authorized by the permit.

~~D.C.~~ Within 14 days following the initial submission of the application for a permit to Demolish, the applicant shall file with the Chief Building Official a statement verified under oath on a form approved by the Chief Building Official certifying that all of the notice-delivery requirements ~~of this chapter under § 55-5B~~ have been satisfied and attaching thereto a copy of the Notice, as well as evidence of mailing as required under subsection B(2) above. Upon filing the certification statement, the application is deemed filed. If any notice-delivery requirement is not complied with, the Chief Building Official shall reject the application as incomplete.

~~E.D.~~ In the event that a written ~~objection~~, acknowledged objection, is filed with the Chief Building Official and the Norwalk Historical Commission within 21 days after filing the certification statement as required by § 55-5~~C~~D, ~~above~~, the Chief Building Official shall not issue the permit until 180 days after the application is deemed filed or such earlier date that such objection is withdrawn by the party filing same. The sole basis for such objection shall be that the building, structure, or part thereof proposed to be Demolished is not architecturally or historically significant. If no such written objection is filed within 21 days after the filing of the certification statement, the Chief Building Official may issue the Demolition permit, provided that all other applicable requirements have been complied with.

~~F.E.~~ The Norwalk Historical Commission may hold a public hearing on any application to which an objection has been filed and may issue recommendations on alternatives to Demolition to the Chief Building Official.

~~G.F.~~ In no event shall the issuance of a Demolition permit be delayed for more than 180 days from the date the application is deemed filed.

§ 55-6. Demolition by Neglect.

Throughout the Demolition delay period imposed under § 55-5, the owner of record of the building, structure, or part thereof proposed to be Demolished shall secure and maintain such building, structure, or part thereof in a manner that minimizes the risk of water penetration, vandalism, fire, or other significant damage and otherwise complies with Section 29-408 of the Connecticut General Statutes, as amended. Partial Demolition, including the removal of windows, doors, roofing, or any other building material, is expressly prohibited during the Demolition delay period, except to extent required by law or permitted by the Chief Building Official.

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PROPOSED AMENDMENTS
11-7-22

§ 55-7. Exceptions.

This chapter shall not apply to: (1) any structure determined to be unsafe by the Chief Building Official according to the State of Connecticut Basic Building Code or as defined as a Hazardous Building under § 26-11 of the Norwalk Code; (2) any structure that is less than 400 square feet in size; ~~or~~ (3) the lifting of a building, structure, or part thereof to comply with regulations of the Federal Emergency Management Agency (FEMA) or the City of Norwalk governing coastal flooding, provided such lifting does not involve a change in design of such building, structure, or part thereof; or (4) any structure determined to be a threat to public health by the Director of Health.

§ 55-8. Violation and fines; Lapse of permit. [subject to further review]

- A. Any person failing to abide by the provisions of this chapter or Connecticut General Statutes §§ 29-401 through 29-415, as amended, shall be fined not more than \$~~500~~250, with each day of such violation constituting a separate violation, ~~or imprisoned not more than one year, or both, pursuant to Connecticut General Statutes § 29-414.~~ All fines imposed under this chapter shall be collected and made payable to the City of Norwalk.
- B. In addition to other penalties and remedies provided in this chapter, in the case of full or partial Demolition of any building or structure in the absence of or in advance of a valid Demolition permit, the Building Official may impose a ~~two-year~~ restriction on the property of [not more than two years] during which no earthwork, landscaping, construction, or further Demolition may take place on the subject property or on any adjoining parcels under common ownership and control without the review and approval of the Norwalk Historical Commission. The restriction may only be lifted by written agreement of the Building Official and the Norwalk Historical Commission.
- C. If Demolition is not commenced within six months after issuance of a permit, such permit shall be deemed null and void.

§ 55-9. Report of Chief Building Official.

The Chief Building Official shall issue an annual report to the Mayor, the Common Council, and the Norwalk Historical Commission concerning the number of Demolition applications filed, the number of applications subject to this chapter, the number of applications that were objected to, and whether the buildings, structures, or parts thereof subject to such applications were actually Demolished.

PROPOSED AMENDMENTS

11-7-22

Chapter 55. Demolition Delay

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§ 55-1. Purpose.

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The purpose of this chapter is to promote the educational, cultural, economic, and general welfare of the City of Norwalk, to establish a procedure whereby owners of buildings with significant historic characteristics will be informed of the economic, tax, aesthetic, and other benefits of historic preservation, and to further the preservation, rehabilitation, and reuse of architecturally significant buildings and structures by providing adequate time for all parties to consider and put forth appropriate development alternatives to demolition, including attempts to find a purchaser who will retain or remove such historic or architecturally significant building or structure or who will present some other reasonable alternative to the last resort of demolition.

§ 55-2. Definition.

A. "Demolition," "Demolish," or "Demolished" means any wrecking activity directed to the disassembling, dismantling, dismembering, and/or razing of the exterior of any building or structure or part thereof. The term shall not be construed to prevent the ordinary maintenance or repair of any building or structure or part thereof that does not involve a change in the design thereof, including, without limitation, the replacement of windows, doors, siding, or roof.

B. "Part thereof" means fifty percent or more of a building or structure, as measured on ground level and above, as determined by the Chief Building Officer.

§ 55-3. Permit required.

No person shall ~~demolish~~Demolish any building, structure, or part thereof without first obtaining a permit ~~for the particular demolition undertaking~~ from the Chief Building Official. Such permit shall be issued except as otherwise provided in this chapter and pursuant to Section 29-406 of the Connecticut General Statutes, as amended.

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§ 55-24. Permit requirements for certain structures.

~~When~~If the building, structure, or ~~exterior~~part thereof to be ~~demolished~~Demolished is (a) at least 50 years old (~~hereinafter referred to as or (b) listed on the "building or structure";~~Historic Norwalk Resources Inventory, as amended from time to time, then no permit shall be issued except in compliance with the provisions of this chapter ~~in addition to~~and Section 29-406 of the Connecticut General Statutes, as amended.

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§ 55-35. Application procedure.

Any application to the Chief Building Official for a permit to ~~demolish~~Demolish any ~~building,~~ structure, ~~or part thereof~~ pursuant to the provisions of § ~~55-2, 55-4~~ shall be subject to the following procedure:

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PROPOSED AMENDMENTS

11-7-22

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A. The application for a ~~demolition~~Demolition permit shall include the following information:

- (1) ~~Common name, if any, and actual street address of the building or, structure, or part thereof to be demolished;~~Demolished;
- (2) ~~The name and, address of and telephone number of the owner(s) of the building, structure, or part thereof to be demolished;~~Demolished;
- (3) ~~The age of the building or, structure, or part thereof to be Demolished;~~
- (4) ~~The square footage to be demolished; current photograph or dimensions of the building or, structure, or part thereof to be Demolished;~~
- (5) ~~One or more current photographs of the building, structure, or part thereof to be Demolished showing the affected area(s);~~
- (6) ~~The reasons for requesting a Demolition permit;~~
- (7) ~~A brief description of the proposed reconstruction or replacement for the building, structure, or part thereof to be Demolished; and the~~

~~A.(8) The names and addresses of the owners of all properties adjoining and [immediately adjacent across the property on which street] from the building or, structure, or part thereof to be demolished is located~~Demolished, according to an attached copy of ~~at~~the pertinent portion of the current assessor's map.

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B. Within 10 days ~~eff~~following the initial submission of an application for a Demolition permit ~~to demolish a building or structure~~, the applicant shall:

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- ~~(1) Publish and deliver a local newspaper having general circulation in the City of Norwalk a notice of intent to demolish (hereinafter referred to as the "notice").~~
- ~~(2) Mail copies of such notice to the owners of all properties adjoining the property on which the structure to be demolished is situated.~~
- ~~(3)~~(1) ~~Mail copies of the notice~~copy of such application by certified mail and electronic mail to the Norwalk Historical Commission, ~~Executive~~the Director of Planning and Zoning, and any individual, firm, corporation, organization, or other entity which has requested, in writing, from the Chief Building Official, copies of ~~any such notices filed pursuant to this chapter.~~application(s);
- ~~(2) deliver copies of a notice of intent to Demolish (the "Notice") to the owners of all properties adjoining and [immediately adjacent across the street] from the~~

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PROPOSED AMENDMENTS

11-7-22

property on which the building, structure, or part thereof to be Demolished is situated via registered or certified mail; and

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~~(4)~~(3) Post in a conspicuous location on the property on which the building ~~or~~ structure, or part thereof to be Demolished is situated a sign at least 24 inches by 36 inches in size visible from the nearest street or other accessway adjoining the property. Such sign shall include copy of the ~~notice~~Notice and shall contain the word "~~demolition~~DEMOLITION" in capital letters no less than two inches in height. The sign required hereunder shall remain posted on the property if the permit is issued until the completion of all ~~demolition~~Demolition activities authorized by the permit.

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~~(5)~~C. Within 14 days ~~after~~following the initial submission of the application for a permit to Demolish, the applicant shall file with the Chief Building Official a statement verified under oath on a form approved by the Chief Building Official certifying that all of the ~~notice~~delivery requirements ~~of this chapter under § 55-5B~~ have been ~~complied with~~satisfied and attaching thereto a copy of the ~~notice~~andNotice, as well as evidence of ~~publication~~mailing as required under subsection B(2) above. Upon filing the certification statement, the application is deemed filed. If any ~~notice~~delivery requirement is not complied with, the Chief Building Official shall reject the application as incomplete.

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~~C-D.~~ In the event that a written, acknowledged objection, ~~stating the reasons for opposing demolition~~ is filed with the Chief Building Official and the Norwalk Historical Commission within 21 days after filing the certification statement as required by ~~§ 55-3, above~~55-5C, the Chief Building Official shall not issue the permit until ~~120~~180 days after the application is deemed filed, or such earlier date that such objection is withdrawn by the party filing same. The sole basis for such objection shall be that the building, structure, or part thereof proposed to be Demolished is not architecturally or historically significant. If no such written objection is filed within 21 days after the filing of the certification statement, the Chief Building Official may issue the ~~demolition~~Demolition permit, provided that all other applicable requirements have been complied with.

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~~D. In no event shall the issuance of a demolition permit be delayed, if its application has not been withdrawn, for more than 120 days from the date the application is deemed filed.~~

§ 55-4. Exceptions.

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~~This chapter shall not apply to any structure determined to be unsafe by the Chief Building Official according to Section 12.0 of the State of Connecticut Basic Building Code or as defined as a hazardous building under § 26-11 of the Norwalk Code. This chapter shall also not apply to any structure that is less than 400 square feet in size.~~

§ 55-5. Purpose.

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PROPOSED AMENDMENTS

11-7-22

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~~A. The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the City of Norwalk, to establish a procedure whereby owners of buildings with significant historic characteristics will be informed of the economic, tax, aesthetic and other benefits of historic preservation and to further the preservation, rehabilitation and reuse of architecturally significant buildings and structures by providing adequate time for all parties to consider and put forth appropriate development alternatives to demolition, including attempts to find a purchaser who will retain or remove such historic or architecturally significant building or structure or who will present some other reasonable alternative to the last resort of demolition.~~

~~B-E.~~ The Norwalk Historical Commission may hold a public hearing on any application to which an objection has been filed and may issue recommendations on alternatives to ~~demolition~~Demolition to the Chief Building Official.

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~~F.~~ In no event shall the issuance of a Demolition permit be delayed for more than 180 days from the date the application is deemed filed.

§ 55-6. Demolition by Neglect.

Throughout the Demolition delay period imposed under § 55-5, the owner of record of the building, structure, or part thereof proposed to be Demolished shall secure and maintain such building, structure, or part thereof in a manner that minimizes the risk of water penetration, vandalism, fire, or other significant damage and otherwise complies with Section 29-408 of the Connecticut General Statutes, as amended. Partial Demolition, including the removal of windows, doors, roofing, or any other building material, is expressly prohibited during the Demolition delay period, except to extent required by law or permitted by the Chief Building Official.

§ 55-7. Exceptions.

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This chapter shall not apply to: (1) any structure determined to be unsafe by the Chief Building Official according to the State of Connecticut Basic Building Code or as defined as a Hazardous Building under § 26-11 of the Norwalk Code; (2) any structure that is less than 400 square feet in size; (3) the lifting of a building, structure, or part thereof to comply with regulations of the Federal Emergency Management Agency (FEMA) or the City of Norwalk governing coastal flooding, provided such lifting does not involve a change in design of such building, structure, or part thereof; or (4) any structure determined to be a threat to public health by the Director of Health.

§ 55-8. Violation and fines; lapse~~Lapse~~ of permit. [subject to further review]

~~A. In addition to other penalties and remedies provided by law, each violation of Any person failing to abide by the provisions of this chapter or Connecticut General Statutes §§ 29-401 through 29-415, as amended, shall be punishable by a fine~~effined not more than \$~~400~~250, with each day of such violation constituting a

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PROPOSED AMENDMENTS

11-7-22

separate violation. All fines imposed under this chapter shall be collected and made payable to the City of Norwalk.

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B. In addition to other penalties and remedies provided in this chapter, in the case of full or partial Demolition of any building or structure in the absence of or in advance of a valid Demolition permit, the Building Official may impose a restriction on the property of [not more than two years] during which no earthwork, landscaping, construction, or further Demolition may take place on the subject property or on any adjoining parcels under common ownership and control without the review and approval of the Norwalk Historical Commission. The restriction may only be lifted by written agreement of the Building Official and the Norwalk Historical Commission.

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B.C. If ~~demolition~~Demolition is not commenced within six months after issuance of a permit, ~~the Chief Building Official~~such permit shall ~~declare the permit~~be deemed null and void.

§ 55-79. Report of Chief Building Official.

The Chief Building Official shall issue an annual report to the Mayor, the Common Council, and the Norwalk Historical Commission concerning the number of ~~demolition~~Demolition applications filed, the number of applications subject to ~~Chapter 55, this chapter,~~ the number of applications that were objected to, and whether ~~these~~the buildings and, structures, or parts thereof subject to such applications were actually ~~demolished~~Demolished.

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