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CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

(203) 797-4518
(203) 796-8043 FAX

June 24, 2004

PLEASE REPLY TO:
DANBURY, CT 06810

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

Re: Code of Ordinances Section 18-25
Deferral of Assessment Increases Attributable to Construction of Improvements

Dear Mayor and Council:

As a result of some recent changes to the original enabling legislation creating the referenced deferral program opportunity (Conn. General Statutes Section 12-65b), it is necessary to amend our local ordinance accordingly.

The upshot of the statute amendment was to reduce the number of individual classes of deferral options from seven (7) to three (3). While the program works basically the same as before, the two key changes of note are not only the reduction in the overall number of deferral classes by the elimination of subsections c. through g., but the addition of a new one (c. in our ordinance) that permits an up to fifty (50%) percent deferral for not more than three (3) years if the cost of improvement is at least \$25,000.00 AND an allowance for use of this deferral program for permanent residential property (note that you had earlier recognized this newer classification in the blight ordinance revision, adopted back in February but had not concluded the final amendment of this particular subsection).

Upon adoption of this ordinance revision, Sec. 18-25 will be brought into full conformance with the statute (12-65b).

Please consider and submit to public hearing at your earliest opportunity, and feel free to call with any questions.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

Attachment

cc: Robert J. Yamin, Corporation Counsel
Eric L. Gottschalk, Deputy Corporation Counsel
Dennis I. Elpern, Director Planning & Zoning



ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

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

THAT Subsection (d) (2) of the Code of Ordinances of Danbury, Connecticut, is hereby amended by the repeal of subsections c. through g. and the substitution of a new subsection c. in order that subsection (d) (2) reads as follows:

(d) Assessment deferral agreement.

(2) The assessment deferral agreement shall provide that, upon completion of construction or improvements made in accordance with the terms of the agreement, and upon certification by the planning department, as hereinafter set forth, and upon issuance of the certificate of occupancy, the increase in the assessment on the property due to such construction or improvements shall be deferred in accordance with one of the following schedules, as determined by the common council:

- a. For proposed construction or improvements which value three million dollars (\$3,000,000.00) or more, the entire increase in the assessment may be deferred each year for a period not to exceed seven (7) years;
- b. For proposed construction or improvements which value five hundred thousand dollars (\$500,000.00) or more, the entire increase in the assessment may be deferred each year for a period not to exceed two (2) years;
- c. For proposed construction or improvement which value not less than twenty five thousand dollars (\$25,000.00), fifty (50) percent of the increased assessment may be deferred each year for a period not to exceed three (3) years, including but not limited to permanent residential use property, which property has been designated blighted pursuant to Sec. 10-81 et seq. of this code.

COPY SHOWING DELETIONS AND NEW LANGUAGE:

THAT Sec. 18-25 (d)(2) of the Code of Ordinances of Danbury, Connecticut be amended as follows:

18-25 (d)

(2) The assessment deferral agreement shall provide that, upon completion of construction or improvements made in accordance with the terms of the agreement, and upon certification by the planning department, as hereinafter set forth, and upon issuance of the certificate of occupancy, the increase in the assessment on the property due to such construction or improvements shall be deferred in accordance with one of the following schedules, as determined by the common council:

- a. For proposed construction or improvements which value three million dollars (\$3,000,000.00) or more, the entire increase in the assessment may be deferred each year for a period not to exceed seven (7) years;
- b. For proposed construction or improvements which value five hundred thousand dollars (\$500,000.00) or more, the entire increase in the assessment may be deferred each year for a period not to exceed two (2) years;

c. FOR PROPOSED CONSTRUCTION OR IMPROVEMENTS WHICH VALUE NOT LESS THAN TWENTY FIVE THOUSAND DOLLARS (\$25,000.00), FIFTY (50) PERCENT OF THE INCREASED ASSESSMENT MAY BE DEFERRED EACH YEAR FOR A PERIOD NOT TO EXCEED THREE (3) YEARS, INCLUDING BUT NOT LIMITED TO PERMANENT RESIDENTIAL USE PROPERTY, WHICH PROPERTY HAS BEEN DESIGNATED BLIGHTED PURSUANT TO SEC. 10-81 ET SEQ. OF THIS CODE.

- ~~e. For proposed construction or improvements which value not less than one hundred thousand dollars (\$100,000.00), fifty (50) percent of the increased assessment may be deferred each year for a period not to exceed three (3) years;~~
- ~~d. For proposed construction or improvements which value not less than one hundred thousand dollars (\$100,000.00), twenty (20) percent of the increased assessment may be deferred each year for a period not to exceed three (3) years;~~
- ~~e. For proposed construction or improvements which value not less than five hundred thousand dollars (\$500,000.00), thirty (30) percent of the increased assessment may be deferred each year for a period not to exceed three (3) years;~~
- ~~f. For proposed construction or improvements which value not less than three million dollars (\$3,000,000.00), twenty (20) percent of the increased assessment may be deferred each year for a period of not less than five (5) years but not more than seven (7) years; or~~
- ~~g. For proposed construction or improvements which value not less than five million dollars (\$5,000,000.00), thirty (30) percent of the increased assessment may be deferred each year for a period not to exceed seven (7) years.~~

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

Deleted language is indicated by ~~strikeouts~~.