

Additions
to Code

Add to Chapter 52 (Building Construction) Article IV §52-13

Effective June 16,2014

1. Ordinance that fees for processing building permit for:

- (A) Section 4 of FEES FOR PROCESSING shall be amended with the following addition:
(B) For all Class 1 renewable energy systems as defined in the Conn. Gen. Stat. §16-1(a) (26), the building permit fee shall be waived.

Section 1. Purpose.

It is the purpose of this regulation to reduce the cost of solar PV system installations and promote

the use of renewable energy. This Ordinance seeks to:

- (1) Provide property owners and business owners with flexibility in satisfying their on-site energy needs.**
- (2) Reduce overall energy demands within the Municipality and promote energy efficiency.**
- (3) Streamline the permitting process for rooftop solar PV systems by updating regulations and administrative procedures related to rooftop solar PV permitting and fees.**
- (4) Support the Municipality's conservation and sustainability goals.**

Section 2. Applicability.

- (1) This Ordinance applies to solar PV systems modified, upgraded or installed after the effective date of the Ordinance.**
- (2) This Ordinance is effective as of date of adoption unless another date is otherwise specified.**

Section 3. Permit Fee.

For all Class 1 renewable energy systems as defined in the Connecticut General Statutes, the building permit fee shall be waived.

Section 4. Licensing.

For solar energy work, our Municipality does not require any community-specific licenses over and above current State of Connecticut licensing requirements defined by the Connecticut Department of Consumer Protection.

Add to Chapter 52 (Building Construction) Article IV §52-14

Historic Building Demolition Delay Ordinance

This Ordinance is enacted pursuant to Connecticut General Statute Section 29-406.

Whereas, Connecticut General Statutes Section 29-406 (a) contains certain requirements for the demolition of buildings and structures;

Whereas, Connecticut General Statutes Section 29-406 (b) authorize municipalities to enact an ordinance requiring a waiting period of not more one hundred and twenty (120) days before a building, structure or part thereof is demolished;

Whereas, the ordinance is enacted by the Town in order to preserve and protect significant buildings and structures within the town which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the town and to limit the detrimental effect on community character and heritage that may result from the demolition of such buildings and structures;

Whereas, such a waiting period is intended to allow an adequate amount of time to help preserve valuable town landmarks which will further the interests of the entire public;

Whereas, the town residents are alerted to the anticipated demolition of significant buildings or structures and the owners of such buildings or structures are encouraged to consider preservation, restoration, rehabilitation or relocation, in that order of priority, as alternatives to demolition.

Definitions

APPLICANT – Any person or entity who files an application with the Town for a demolition permit. If the applicant is not the owner of the premises upon which the building or structure is situated, the owner's consent or endorsement of the proposed application must be provided on the permit application.

APPLICATION – A written request to the Town in an authorized format to issue a permit for the demolition of a building or structure.

BUILDING – Any combination of materials assembled by human intent to form a shelter for persons, animals or property.

BUILDING OFFICIAL – A person hired or appointed by the Town to serve as Building Inspector or otherwise duly authorized to issue demolition permits in accordance with 29-401 (Statutory or State Regulation section).

DELAY – A period of up to **120** days imposed by the Town, beginning on the date the Notice of

Demolition was first published in a newspaper and mailing of notification to Haddam Historical Society and Town Historian as provided in this ordinance during which the owner of a Preferably Preserved property/Significant Building is to consider any viable alternatives to demolition, including preservation, restoration, rehabilitation, relocation or detailed recordation, in that order of priority.

DEMOLITION – The intentional act of substantially pulling down, destroying, dismantling, defacing, removing or razing a building or structure, or commencing the work of a total, substantial, or partial destruction with the intent of completing the same; also the act or process of delaying or withholding maintenance of a building or structure in such a way as to cause or allow significant damage to occur which may result in a public hazard or nuisance or the gradual deterioration of the building or structure to the point that it is no longer practical to preserve, restore, or rehabilitate it.

In addition to complete demolition of a building or structure, the following actions shall require a demolition permit under this chapter:

- A.. The lifting and relocating of a building on its existing site or to another site.¹
- B.. The delay or withholding of maintenance on a building or structure in such a way as to cause or allow a significant loss of architectural integrity or structural stability.

DEMOLITION PERMIT – The town permit issued by the Building Official authorizing the full or partial demolition of an existing building or structure, excepting for this chapter only any permit issued solely for the demolition or removal of interior features with no effect on the exterior appearance of the building or structure.

SIGNIFICANT BUILDING – Any building or structure within the municipal boundaries which, in whole or in part, is known or presumed to be at least fifty (50) years old and which has been determined by the Historic Review Committee or other designated authority (HHS/Town Historian) to be significant to the community based on one or more of the following criteria:

- The building or structure is listed on the State or National Register of Historic Places, or is partially or completely within the boundaries of an area so listed; or
- The building or structure has been determined by the State Historic Preservation Office and/or the National Park Service to be eligible for listing on the State or National Register of Historic Places; or

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- The building or structure has documented associations with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the town, the state or the nation; or
 - The building or structure has documented historical or architectural importance in terms of period, style, method of construction, specific use, or association with a recognized builder or architect, either by itself or in the context of a group of buildings; or
 - The building is listed on Haddam's Historic Building Inventory which is subject to periodic updates by the Historic Review Committee or other designated authority (HHS/Town Historian)

STRUCTURE – Any combination of materials assembled by human intent to shelter property or activities; or to mark and delineate boundaries or limits of use; or to facilitate transportation, communication, manufacturing or commerce; or to provide for the defense and protection of people or property.

I. Permit to Demolish

No person, firm, corporation or other entity shall demolish any building, structure or part thereof, without first obtaining a permit from the Haddam Building Department, which shall not be issued until the applicant:

- 1) complies with the provisions of Connecticut General Statutes Sections 29-401, et seq; and
- 2) complies with the provisions of this ordinance.

II. Demolition Permit Application

- 1) No person, firm, corporation, or other entity shall be eligible for a demolition permit without having first submitted to the Haddam Building Department a completed application for the issuance of a demolition permit, on a form to be provided by the Haddam Building Department.
- 2) Such form shall require the following minimum information,
 - a) the full address of the building/structure proposed to be demolished;
 - b) The name(s), address(es) of all record owners of said building/structure;
 - c) The volume and page number of the recorded deed for said property;
 - d) A description of the demolition proposed (e.g. full or partial) with detail;
 - e) The date of which the proposed demolition is scheduled;
 - f) A description of the building including its age, type and its most recent use;
 - g) Any other information deemed important by the building official in addition to the above.

3) No permit for the demolition of any building or structure or part thereof which is 50 years of age or older and identified as a significant building or structure as defined above, shall be issued until a Notice of the Demolition Permit Application has been filed by the applicant on a form to be provided by the Haddam Building Department and published by the building official as hereinafter set forth. In the event the exact age of the building cannot be ascertained with a reasonable degree of certainty, it shall be presumed that the building is over the age of 50 years.

III. Publication

1. The Notice of Application shall be published by the building official in a newspaper having substantial circulation in Haddam. Said Notice shall be entitled "Notice of Demolition". Said Notice shall be published once within ten (10) days following the filing of the demolition or building permit application, and shall provide the following information:

- a) the location of the property;
- b) the name(s) of the owner(s) of the property;
- c) a warning that unless written objections, stating the nature of the objection, is filed with Haddam Building Department within fifteen (15) days of the publication of the Notice, the permit may be issued after the expiration of the fifteen (15) day period.

2. At the same time as the building official publishes the Notice of Application pursuant to this section, said building official shall mail a copy of said Notice by certified mail, return receipt requested to the Haddam Historical Society, the Town Historian and to any other persons or entities who have registered with the Building Department as set out below:

To be entitled to notice by mail pursuant to this ordinance, such person or entity, except the Haddam Historical Society and Town Historian, shall register with the Building Department on a form to be provided by the Building Department at any time after the effective date of this ordinance, and annually thereafter.

The applicant shall be responsible for giving notice to any other person or entities as otherwise required by law, ordinance, or regulations.

A sign shall be posted by the applicant along the front of the property proposed to be demolished in a conspicuous place so as to be clearly visible from the road servicing the property on or before the date of publication of the Notice provided above in this section and such sign shall remain until the waiting period according to Section V. below expires. The size, dimensions and demolition information to be contained in such sign shall be determined and established in writing by the Building Department following the enactment of this ordinance. Signs shall be approved by the Building Official prior to posting same.

IV. Objections

Any objections to any application for demolition of a building pursuant to this ordinance, shall be in writing and filed with the Building Department, and the applicant shall mail a copy of said

objection to the applicant and the owner(s) (if other than applicant) of said property, by certified mail, return receipt requested.

V. Waiting Period

No permit for the demolition of a building, structure or part thereof, requiring notice under this ordinance shall be issued until the expiration of a period of time not to exceed of one hundred and twenty (120) days from the date the Notice of Demolition was first published in a newspaper and mailing of notification to Haddam Historical Society and Town Historian as provided in this ordinance, provided that if no objection as herein provided is received by the building official within fifteen (15) days of the publication and mailing of the notices as provided in this ordinance, or if any objection as herein provided is withdrawn after said fifteen (15) day period, and such withdrawal is received by the building official, the building official may issue the permit forthwith.

No permit for demolition will be issued for a significant building or structure as defined above until all plans for future use and development of the site have been filed with the Building Official and have been found to comply with all laws pertaining to the issuance of a building permit or if a parking lot, a certificate of occupancy for the site.

All approvals necessary for the issuance of such building permit or certificate of occupancy, including without limitation any necessary zoning variances or special permits, must have been granted and all appeals from the granting of such approvals must have been concluded prior to the issuance of a demolition or building permit for a significant building or structure as defined above under this chapter.

VI. Unsafe Building

Nothing in this ordinance should be considered to limit or otherwise prevent the building official to take emergency measures as prescribed by the State Building Code or the general statutes to protect the public from any unsafe building or structure.

This ordinance shall not be construed to prevent ordinary maintenance or repair of any exterior architectural features; nor shall it prevent the erection, alteration or removal of any such feature which the Building Official certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration.

Similarly, this ordinance shall not apply to demolition of a building or structure if such work has been approved, and all appeal periods expired, by the Haddam Planning and Zoning Commission in connection with a site plan review, special permit, or other development application.

VII. Fines

Any person, corporation or entity who violates any provision of this ordinance shall be fined not more than \$100 per day until the violation is remedied, up to the maximum permitted by state statute.

This ordinance shall become effective fifteen days from publication thereof.