

MEMORANDUM

To: Bloomfield Town Council

CC: Health Dept. Land Use Dept

From: Marc N. Needelman, Town Attorney

Date: March 10, 2023

Re: Summary Of Revisions To Code Of Ordinances – Chapter 12

CHAPTER 12, ARTICLE I

HOUSING CODE

§ 12-2 Intent.

The code is intended to provide minimum and uniform standards governing the condition, occupancy and maintenance of occupied and unoccupied premises.

§ 12-3 Scope of Provisions.

- Applies to both dwellings and non-dwelling properties.
- Establishes minimum standards and responsibilities for:
 - Maintenance of all premises
 - Safe and sanitary installation and maintenance of equipment and facilities
 - Space, density, use & location
 - Lighting and ventilation
 - Electrical and heating
 - Plumbing

§ 12-8 Definitions.

- The Town Manager is responsible for administration of the Code, or his/her designee (Health Director).

§ 12-19 Toxic Substances.

- Requires owners to provide/maintain premises free from hazards to health due to Toxic Substances.
- Establishes lead paint limit.

§ 12-21 Pest, insect and rodent control.

§ 12-27 Roofs and Drainpipes.

- Including building's drainage system(s).

§ 12-30 Space and Density Standards.

- Maximum occupancy of a dwelling is equal to, or less than the number of habitable rooms.

§ 12-31 Use Restrictions.

- No cellar space may be used as a dwelling unit.
- Basement space may be used as a dwelling unit if it meets all code requirements.
- No dwelling to add or convert space for additional unit, unless it meets Zoning & Building codes, and is inspected and approved by Fire Marshal and Health Director.

§ 12-35 Light Standards.

- Every habitable room shall have at least one (1) window or skylight.

§ 12-36 Ventilation Standards.

§ 12-37 Windows and Door Standards.

§ 12-39 Electrical Standards.

§ 12-41 Heating Standards.

§ 12-43 Plumbing Requirements.

§ 12-48 Water Drainage Requirements.

ARTICLE VIII

§ 12-50 Health Director, as Town Manager's designee, shall be responsible for enforcement of the Code.

§ 12-53 Notice of Violation.

- Sets forth the Notice of Code Violation requirements, including time allowed for cure, the appeal process, and provisions for fines, civil action, or criminal prosecution.

§ 12-54 Enforcement By Citation.

- If violations not cured, Citation may issue to owner/occupier, or where appropriate, a civil action, or criminal prosecution may commence.
- Fines/penalties to be imposed.
- Notice of Right to Appeal to a Citation Hearing Officer (C.H.O.).
- Spells out Hearing process, and C.H.O. options.
- Unpaid fines may result in lien being placed on property.

§ 12-58 Penalties for Offenses.

- Each violation of code is a separate offense.
- Every day violation continues is a separate offense.
- Each separate offense is subject to \$100.00 penalty.
- Imposition of penalties doesn't limit or prevent other enforcement measures/penalties.

§ 12-58 Town may make necessary repairs and lien property.

§ 12-60 Declare Unfit Dwellings.

- Director of Health may declare premises unfit for occupancy, or unsafe.

§ 12-61 Demolition.

- Spells out circumstances for a demolition order and filing of lien.

CHAPTER 12, ARTICLE V
PROPERTY MAINTENANCE CODE

§ 12-65 Intent.

This code is intended to provide minimum standards governing the condition, occupancy and maintenance of occupied and unoccupied premises, and is intended to maintain and preserve the beauty of the neighborhoods and to allow for control of blighted premises.

§ 12-66 Scope of provisions.

- Dwellings
- Non-dwelling buildings (including commercial properties)
- Accessory structures
- Swimming pools

§ 12-67 Definitions.

- *Blighted premises* – property the Town Manager (or his/her designee) determines to have conditions which prove a serious threat to the health, safety and welfare of the person in town.
- Specific examples are set forth.

§ 12-68 Blighted premises.

- No owner/occupier of real property shall cause or allow blighted premises to be created, or allow the continued existence of same.

§ 12-69 Abandoned structures.

- Provides authority to Town to demolish same.

§ 12-71 Certification list.

- Process for creating a Blighted Premises list of properties.

§ 12-72 Complaints; warning.

- Any person can file a complaint. Where justified, a Notice of Violation will be served.

§ 12-73 Enforcement.

- If corrective actions not be taken, a Citation may issue, and where appropriate, a civil action or request for criminal prosecution may take place.

§ 12-74 Hearing.

- Spells out the Hearing process (similar to Article I).

§ 12-76 Penalties, lien.

- Similar to those set forth in Article I.

§ 12-77 Appeals; special consideration.

- Similar to those set forth in Article I.

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