

**AN ORDINANCE AMENDING SECTION 4-8 OF THE NORWICH CODE OF ORDINANCES TO PERMIT THE CITY MANAGER TO WAIVE THE REQUIREMENTS OF SECTION 4-8 WHEN THE CITY MANAGER HAS RECEIVED ADEQUATE ASSURANCES DOING SO WILL RESULT IN THE PAYMENT OF DELINQUENT TAXES WITHIN A REASONABLE PERIOD OF TIME**

**WHEREAS**, Section 4-8 of the Norwich Code of Ordinances, authorized pursuant to Connecticut General Statute Section 7-148(c)(2)(B) as establishing a procedure for the withholding of approval of building application when taxes are delinquent for the property for which the application is made, and was adopted February 21, 2006 to promote the collection of delinquent taxes; and

**WHEREAS**, the Council of the City of Norwich finds that, as a result of economic circumstances, in certain instances Section 4-8 has prevented the restoration or development of properties such that delinquent taxes due on said properties remain unpaid and continue to increase; and

**WHEREAS**, Section 4-8 currently provides that approval and issuance of a building permit shall not be withheld when in the opinion of the building official to do so would endanger public safety or public health; and

**WHEREAS**, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich in promoting economic development to permit the city manager to suspend the application of Section 4-8 of the Code of Ordinances when as to a property the city manager determines that to do so will permit restoration as an improvement of the property on which municipal taxes are delinquent, will stabilize or increase the value of the property, and is reasonably likely to result in a payment of any delinquent taxes owed on said property.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH** that Section 4-8 of the Norwich Code of Ordinances entitled "Issuance or Approval of a Building Application Contingent on the Payment of Taxes" be and hereby is amended as follows:

**Sec. 4-8. Issuance or approval of a building application contingent on the payment of taxes.**

No building application, including but not limited to, any building permit or any certificate of occupancy shall be issued, and no application for a subdivision shall be approved, when municipal taxes for the property for which an application is made are delinquent; except that:

**[1]** approval and issuance shall not be withheld in the case of a building permit when in the opinion of the building official to do so would endanger public safety or public health **or**

**[2]** *when in the opinion of the city manager the issuance of a building permit, certificate of occupancy or the acceptance of other building application will result in the payment of delinquent taxes due on said property and will be reasonably likely to permit stabilization of the property or an increase to the value of said property. In such instance he shall advise the building official of his determination and the building official may issue any building permit or any certificate of occupancy as he determines to be required and appropriate. Nothing contained herein however, shall authorize the city manager to suspend the provisions of Section 4-8 so as to permit the approval of an application for a subdivision of property on which taxes are delinquent.*