

STATE OF CONNECTICUT,

Bill No. 5043 Page 1 of 2
 Introduced by Rep. Stanley Beggs, 45th Date January 1971
 Ref. to Committee on Finance

General Assembly,

January Session, A. D., 19 71

AN ACT CONCERNING DELINQUENT SEWER ASSESSMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 7-254 of the general statutes is repealed and the following is substituted in lieu thereof: Any assessment of benefits or any instalment thereof, not paid within thirty days after the due date, shall be delinquent and shall be subject to interest from such due date at the interest rate and in the manner provided by the general statutes for delinquent property taxes. Each addition of interest shall be collectible as a part of such assessment. Whenever any instalment of an assessment becomes delinquent, ((all)) the next remaining unpaid instalment(s) of such assessment shall also become delinquent. Any unpaid assessment and any interest due thereon shall constitute a lien upon the real estate against which the assessment was levied from the date of such levy. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed in the same manner as property tax liens. The tax collector of the municipality may collect such assessments in accordance with any mandatory provision of the general statutes for the collection of property taxes and the municipality may recover any such assessment in a civil action against any person liable therefor. Whenever any person has become delinquent in the payment of any instalment and has paid all such past due instalments together with any interest or other charges, the sewer authority shall permit such person to pay any remaining instalments without additional penalty, except for subsequent default, in accordance with the original instalment schedule.


CONNECTICUT
 STATE LIBRARY
 LEGISLATIVE REFERENCE
 SECTION

Section 2. This act shall take effect upon its passage but shall have no retroactive affect.

STATEMENT OF PURPOSE: To avoid excessive hardship by making only the next ensuing instalment instead of all ensuing instalments immediately delinquent when a single instalment becomes delinquent.

State of Connecticut

House of Representatives



The seal of the State of Connecticut House of Representatives features a central shield with a ship (the USS *Minesweeper*) sailing on the sea. Above the shield is a crest with a figure holding a bow and arrow. The shield is surrounded by a decorative border with the words "QUI TRANSTULIT SUSTINET" on a ribbon below.

House of Representatives, May 26, 1971. The Committee on Finance reported through Rep. Spain of the 166th District, Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PROPORTIONAL COSTS OF WATER MAIN ASSESSMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 7-137c of the 1969 supplement to the
2 general statutes is repealed and the following is
3 substituted in lieu thereof: Any municipality may
4 appropriate funds to extend or cause to have
5 extended water mains (a) into areas to be used for
6 industrial or commercial purposes or partly for
7 industrial or commercial purposes and partly for
8 residential purposes, or (b) into residential
9 areas or into areas zoned for residential use.
10 NOTWITHSTANDING THE PROVISIONS OF ANY SPECIAL ACT
11 each owner of property which abuts such main
12 shall, upon making use of such main, reimburse the
13 municipality his proportionate share, to be
14 determined by such rule as the municipality by
15 ordinance adopts. Said share shall represent a
16 reasonable proportion of the total cost of such
17 water mains, including materials, installation,
18 pumping stations, service corrections, curb,
19 sidewalk and highway repairs and the cost of
20 installation of gate-valves or shut-offs, if any;
21 except that if residential or agricultural
22 property or property zoned for residential or

23 agricultural use abuts lines of construction of
24 water mains, to be used for industrial or
25 commercial purposes or partly for industrial or
26 commercial purposes, and such property is not
27 being used for such purposes, the proportionate
28 share of the owners of such property shall be
29 computed on a front-foot or other equitable basis
30 for a standard or minimum size main. Such shares
31 shall be proportioned in such a way as to
32 ultimately leave the municipality free of any of
33 the cost of the extension of the water main and
34 expenses incidental thereto except where any
35 portion of such water service is to be used for a
36 municipal purpose in which instance the
37 municipality shall contribute a fair proportion of
38 the expense representing such proportionate
39 municipal share. IN CASE OF A PROPERTY USED FOR
40 OTHER THAN COMMERCIAL OR INDUSTRIAL PURPOSES WHICH
41 EXCEEDS BY MORE THAN ONE HUNDRED PER CENT THE SIZE
42 OF THE SMALLEST LOT PERMITTED IN THE LOWEST
43 DENSITY RESIDENTIAL ZONE ALLOWED UNDER ZONING
44 REGULATIONS, OR IN THE CASE OF A TOWN HAVING NO
45 ZONING REGULATIONS, A LOT SIZE OF ONE ACRE IN AREA
46 AND ONE HUNDRED FIFTY FEET IN FRONTAGE, ASSESSMENT
47 OF SUCH EXCESS LAND SHALL BE DEFERRED UNTIL SUCH
48 TIME AS SUCH EXCESS LAND SHALL BE BUILT UPON OR A
49 BUILDING PERMIT ISSUED THEREFOR OR UNTIL APPROVAL
50 OF A SUBDIVISION PLAN OF SUCH EXCESS PROPERTY BY
51 THE PLANNING COMMISSION HAVING JURISDICTION,
52 WHICHEVER EVENT OCCURS FIRST, AT WHICH TIME
53 ASSESSMENT MAY BE MADE AS PROVIDED HEREIN. NO
54 LIEN SECURING PAYMENT SHALL BE FILED UNTIL THE
55 PROPERTY IS ASSESSED. Within sixty days of an
56 assessment under this section, the owner of any
57 property so assessed may appeal to the court of
58 common pleas for the county or judicial district
59 within which such land is situated from the
60 valuation of his assessment, by service of process
61 made in accordance with the provisions of section
62 52-67. Such appeal shall be a privileged case and
63 shall not stay any proceeding under this section.
64 The court shall have the power to grant such
65 relief as to justice and equity appertains, upon
66 such terms and in such manner and form as appears
67 equitable.