

CANDLEWOOD SHORES TAX DISTRICT

BLIGHT ORDINANCE 2019

Section 1 - PURPOSE:

To provide for the financial and aesthetic welfare of the Candlewood Shores Tax District (CSTD) and the health, safety and welfare of its residents, this ordinance declares that dilapidated, blighted, or deteriorating residences, buildings, structures and properties located within its boundaries will be dealt with under the conditions of this ordinance.

In addition to enforcing the provisions of this Ordinance, mindful that other remedies presently exist within the Town of Brookfield to remediate or abate serious property deficiencies, including blighted conditions, the Candlewood Shores Board of Directors may also refer to the town any and all buildings that present a health, fire, or safety risk to the community. The adoption of this ordinance provides for additional remediation and/or abatement of specific and unacceptable property maintenance and/or blighted conditions.

Section 2 – BLIGHT IS PROHIBITED:

Blight shall mean any condition, or combination of conditions related to a building, structure or property that negatively impacts the community, or that is a factor in materially depreciating property values in the immediate neighborhood, or that has become a factor creating a substantial interference with the reasonable and lawful use and enjoyment of neighboring and other premises within the neighborhood, or that has attracted illegal activity. Examples of conditions that constitute blight:

A. Unsightly or excessive amounts of debris, refuse, or excavated materials which are within the public view. Debris shall mean material which is incapable of immediately performing the function for which it was designed, including, but not limited to: abandoned, discarded, or unused objects; junk comprised of equipment such as automobiles, boats, and recreation vehicles which are unregistered and missing parts, not complete in appearance and in an obvious state of disrepair; parts of automobiles, swing sets, play equipment, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, and garbage.

B. Excessively overgrown lawns or yards, containing grass, weeds or ground cover exceeding eight (8) inches in height, unless regularly maintained as a meadow or natural area.

C. Infestation by rodents or other pests.

D. Neglected garages, porches, decks, and sheds.

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E. Vehicles, boats, trailers or RVs parked on grass.

F. More than one structure, shed, storage container or the like within the public view.

Section 3 - ENFORCEMENT:

The CSTD Board of Directors will appoint an enforcement panel annually consisting of two (2) residents and one (1) Board Member, who will serve as Chairman. The Compliance Officer will serve as a non-voting member of the panel. The panel will meet at least once each fiscal year and as otherwise determined at such times and locations as determined by the Chairman, and as may be required by the Board of Directors. Residents may bring situations to the attention of the Board and submit complaints to the panel. The panel will review all evidence and by majority vote will determine if there is a violation of this ordinance, if the Town of Brookfield is responsible for dealing with the blight, or if the complaint does not constitute a violation of this ordinance.

Section 4 - CITATION HEARING PROCEDURE:

Notification from the panel of the violation will be delivered by registered mail to the property owner. The panel may also choose, but shall not be required, to give the property owner a preliminary warning notice prior to any notice of violation. The owner will be given thirty (30) days from the date of notice of violation to rectify the problem. Residents will have the right to appeal a notice of violation to the blight panel during the first thirty (30) days of each complaint.

A resident who appeals a violation shall submit to the panel via email the reasons for appeal. The blight panel will review the appeal and schedule a hearing which the resident shall attend and have an opportunity to be heard. The Blight Panel shall make a final determination within thirty (30) days of such hearing, and such determination shall be sent by registered mail to the resident.

If the Blight Panel's final determination is that there is a violation of this Ordinance, then resident shall have thirty (30) days after such determination was mailed to remedy the violation. Failure to remedy the violation within such 30-day period shall subject the resident to a daily fine in accordance with the Fee Schedule on the CSTD website. After sixty (60) days of the final determination, the panel reserves the right to correct the violation and bill the property owner for the cost of remediation, and to place a lien on the property if necessary.

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Section 5 - SUPPLEMENTAL REMEDIES:

The provisions of this ordinance are in addition to, and not in lieu of, any other remedies available to the Candlewood Shores Tax District under the Town of Brookfield Charter, Codes and Regulations, Federal law, or the common law. The issuance of citations of violation under this ordinance shall not preclude the exercise of such other remedies.

DATE ENACTED: MAY 15, 2019

DATE PUBLISHED: JUNE 20, 2019

DATE EFFECTIVE: JULY 20, 2019

ATTEST:

DEE CIANCIO

CLERK, CANDLEWOOD SHORES TAX DISTRICT

DATE AMENDED: FEBRUARY 19, 2025

DATE PUBLISHED: MARCH 2, 2025

DATE EFFECTIVE: APRIL 2, 2025

ATTEST:

ROBERT YAMUDER

CLERK, CANDLEWOOD SHORES TAX DISTRICT