

## **ARTICLE II. DEMOLITION PERMITS**

### **Sec. 14-21. Purpose**

The purpose of this ordinance is to authorize the Town of Westport, as allowed by C.G.S. §29-406(b), to impose a waiting period of not more than 180 days before granting a demolition permit for certain structures of architectural, historical, or cultural importance. The objective of this ordinance is to promote the cultural, economic, educational and general welfare of the Town of Westport by establishing a process whereby the owners of buildings with significant historic, architectural or cultural characteristics will be informed of the benefits of historic preservation, rehabilitation and reuse of such buildings and structures. The waiting period will provide time for all interested parties to consider and put forth alternatives to demolition.

### **Sec. 14-22. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) Demolition – any wrecking activity directed to the disassembling, dismantling, dismembering and/or razing of any building or structure or part thereof. Demolition shall not be construed to prevent the ordinary maintenance or repair of any exterior architectural feature which does not involve a change in the appearance or design thereof.
- (b) Part thereof – 50 percent or more of a building or structure 500 square feet in size or larger including areas on ground level and above.

### **Sec. 14-23. Permit required, generally**

- (a) No person shall demolish any building, structure, or part thereof without first obtaining a permit from the Building Official.
- (b) No such permit shall be issued until the applicant:
  - (1) Complies with the provisions of C.G.S. §29-406(a), and
  - (2) Complies with the provisions of §14-24 hereof if the building, structure or part thereof is 500 square feet in size or larger and 50 years old or more.

### **Sec. 14-24. Requirements and procedure for demolition of particular structures**

With respect to any application to demolish a building, structure or part thereof which is 500 square feet in size or larger and 50 years old or more, in addition to the applicant's complying with the provisions of §14-23 (b)(1) hereof, prior to the issuance of a demolition permit

(a) The applicant shall:

(1) File an application for a demolition permit with the Building Department upon a form provided by the Town which form shall contain, in addition to such other information as may be required, the name and address of the owner of the building or structure to be demolished and the address, age and square footage of the building or structure to be demolished. Verification of both size and age shall be provided by the applicant. If the age of the building or structure is unknown, not indicated, or in dispute, it shall be assumed to be at least 50 years old or more for the purpose of this article.

(2) Publish a "Notice of Intent to Demolish" in a newspaper having substantial circulation in the Town. Such notice shall include the information required in §14-24(a)(1) and shall state that an application for a permit to demolish has been filed in the Office of the Town Building Official, the date of the filing and that such application is currently pending and available for public inspection. The notice shall be published within seven days following the filing of the demolition permit application.

(3) Notify by mail, within seven days following the filing of the demolition permit application, the owners of all property abutting and across the street from the property on which the building(s) or structure(s) to be demolished is located.

(4) Within seven days following the filing of the demolition permit application, post in a conspicuous location on the property on which the building or structure is situated a sign at least 24 inches by 36 inches in size, visible from the nearest public or private street. Such sign shall include a copy of the notice of intent to demolish and shall contain the word "DEMOLITION" in capital letters no less than two inches in height. If there is more than one building or structure proposed for demolition, one sign shall be posted with respect to each building or structure. If the permit is issued, signs required hereunder shall remain posted on the property for 15 days after such issuance.

(b) The Building Official shall, within seven days following the filing of the demolition permit application, notify by mail any organization concerned with the preservation of buildings or structures within the Town and any organization concerned with the social and economic development of the neighborhood in which the building or structure is located. To be entitled to notification under this provision, any such organization shall register with the Building Official and indicate a desire to be notified of demolition permit applications affecting its area of concern.

### **Sec. 14-25. Waiting Period**

A waiting period of 180 days following the date upon which the Building Official receives an application for a demolition permit shall be imposed on the demolition of any building or structure which is subject to the provisions of §14-24 hereof. If the Building Official receives no opposition to the issuing of the demolition permit from any party registered with said Building Official within 35 days of notification to such party, the balance of the waiting period will be waived.

**Sec. 14-26. Historic Districts or Historic Properties**

Buildings or structures located in designated historic districts or designated historic properties are also governed by Chapter 97a of the Connecticut General Statutes.

**Sec. 14-27. Exception**

**Public Safety.** The provisions of this article shall not apply to orders issued by the Director of the Health District or the Building Official for emergency application because of a threat to public health and/or safety.

**Sec. 14-28. Provisions supplemental**

This article is intended to supplement and not to limit any requirements now or hereinafter imposed on any applicant for or a recipient of a permit and to supplement and not to limit any authority now or hereinafter granted to the Building Official by the State Building Code and the State Demolition Code.