

## SECTION 19

### COLLECTION AND STORAGE OF JUNK MATERIAL, ABANDONED VEHICLES, AND DEBRIS

#### 19.1 Purpose

The purpose of this regulation is to define, prohibit and abate nuisances to protect, preserve, and promote public health, safety and welfare; and to preserve and protect property values.

#### 19.2 General

Any other provision in the Regulations to the contrary notwithstanding, no person, firm, or corporation shall collect or store, upon the landscape of any zoning district in the Town, junk appliances, metal materials, machinery, or other debris or more than two unregistered motor vehicles. See Section 19.3.d for exceptions. This Regulation shall apply uniformly to the maintenance of all residential, nonresidential, and undeveloped premises now in existence or hereafter constructed, maintained, or modified but shall exclude: agricultural lands as defined in Section 22-3(b) of the Connecticut General Statutes.

#### 19.3 Public Nuisance

It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in the Town of Haddam to maintain such premises or any public right-of-way abutting said premises in such manner that any of the following conditions exist thereon:

- A. Any structure which is in a state of dilapidation; or decay; or is open to the elements; or unable to provide shelter, or serve the purpose for which it was constructed due to damage, dilapidation, or decay;
- B. More than two unregistered motor vehicles, pursuant to Section 14-150a of the Connecticut General Statutes;
- C. Residential, commercially, or industrial zoned property that has premises containing accumulated debris and junk materials.
- D. However, the collection and storage of materials, equipment, and vehicles reasonably associated with a business that is permitted under Zoning Regulations as long as they poses no public health or safety concerns does not constitute a violation.

#### 19.4 Minimum Standards

- A. The provisions in this Regulation shall not be construed to prevent the enforcement of other statutes, codes, ordinances or regulations.
- B. In any case where a provision of this Regulation is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other code of the Town or State, the provision which establishes the higher standard for the promotion and protection of the health and safety, and property values of the people shall prevail.
- C. Nothing herein shall be construed to require any town official to hold a sale or public auction of motor vehicles. Any licensed wrecker service or garage shall comply with the Conn. Gen. Stat. §14-150, as revised, in such matters as, including but not limited to, owner notification, towing of motor vehicles, storage, and payment of service.
- D. If a property is in violation of any regulation, code or ordinance on the effective date of this regulation, it remains in violation of that regulation, code or ordinance. It is not the intent of this regulation to approve any activity otherwise in violation of the regulations. If, on the effective date of this regulation, a property is in violation of any other regulation, code or ordinance, it is still subject to whatever fines, injunctions or other penalties that other violation would incur.

#### 19.5 Responsibility for Compliance

The owner, lessee, or occupant of premises subject to this regulation, including the agents thereof, shall be jointly and severally obligated to comply with the provisions of this ordinance. Whenever the person, as herein defined, is a corporation or other legal entity, the officers thereof shall be jointly and severally responsible with that corporation or other legal entity.

#### 19.6 Enforcement and Penalties

Any person, firm or corporation found in violation of this Regulation shall be given a thirty calendar day notice by the Zoning Enforcement Officer to remove cited junk items or materials at no cost to the Town. These Regulations shall be enforced by the Zoning Enforcement Officer(s), or his/her/their designee, who shall be empowered to cause any building, structure, place or premises to be inspected and examined and to order, in writing, the remedying of any conditions found to exist therein or thereat in violation of any provision of these Regulations, or any permit or approval issue hereunder. The owner or agent of a building, structure, or property where such violation shall have been committed or shall exist, or the lessee or tenant of an entire lot where such violation shall have been committed or

shall exist, or the agent, architect, builder, contractor or any other person who shall commit, take part or assist in such violation or who shall maintain any building or premises in which such violations exist shall be guilty of a misdemeanor punishable as provided in Chapter 124 of the Connecticut General Statutes. Furthermore, the Commission may, at its sole discretion, direct the Town counsel to commence criminal or civil action in State or Federal Court for the purpose of enforcing the provisions of these Regulations. This could lead to the Town's removal of cited violating items and materials at the violating party(ies) expense.