

Proposed Zoning Text Change to Amend the Stamford Zoning Regulations to create the position of an Acting Zoning Enforcement Officer

05/24/2024

Narrative

The purpose of this Zoning Text change is to create the position of an “Acting ZEO” in case the ZEO is unable to fulfill their duties, for example due to illness. The Acting ZEO would be the Deputy ZEO. If there is no Deputy ZEO, the Zoning Board would appoint an Acting ZEO.

AMEND definition Zoning Enforcement Officer in Section 3.B.:

Zoning Enforcement Officer

Zoning Enforcement Officer (ZEO) is defined as an official appointed by the Zoning Board who is charged with enforcing these Zoning Regulations ~~of the City of Stamford~~ per Sections C6-40-19 and C6-40-20 of the City Charter and per Section 1.C. of these Regulations.

The powers and duties of the ZEO are set forth in Section 1.C. See Section 1.C. for information about the appointment of an Acting ZEO.

~~The ZEO’s duties include reviewing building construction and development plans to assure that there are no violations of prescribed conditions set by the Planning Board, Zoning Board and Zoning Board of Appeals prior to issuance of zoning/building permits and certificates of occupancy and issuing such *Zoning Permit*; initiating, responding to, and investigating alleged zoning violations and violations of decisions of the Planning Board, Zoning Board and Zoning Board of Appeals; and issuing cease and desist orders for any such violations.~~

AMEND Section 1.C. as follows:

1.C. POWERS AND DUTIES OF THE ZONING ENFORCEMENT OFFICER AND DEPUTY ZEO ENFORCEMENT AND PENALTIES¹

1.C.1. Duties of the Zoning Enforcement Officer

It shall be the duty of the *Zoning Enforcement Officer*, or their designee, as authorized by the City Charter to enforce the provision of these Regulations (including but not limited to permits, decisions and conditions of approval) and to make such orders and decisions as may be necessary to carry out the intent thereof. Said *Zoning Enforcement Officer*, or their designee, shall be empowered to: (a) cause any *Building, Structure*, place or premises to be inspected and examined

¹ [Formerly Section 16]

in accordance with law and to order, in writing, the remedying of any conditions found to exist in violation of any provision of these Regulations, or any permit or approval issued hereunder; and (b) enforce any permit, condition of any zoning approval and decision, issued in connection with these Regulations. (221-11, 223-07)

1.C.2. Enforcement Authority

The *Zoning Enforcement Officer*, or their designee, as authorized, may institute any appropriate action or proceedings: (a) to prevent the unlawful erection, construction, reconstruction, alteration, repair or conversion of any *Building* or *Structure*, or the unlawful use of land, (b) to restrain, correct or abate such violations, (c) to prevent the occupancy of said *Building*, *Structure*, or land, (d) to prevent any illegal act, conduct, business or use in or about the premises, or (e) to prevent or correct a violation of any permit, decision or condition of any zoning approval. Whenever such acts shall be in contradiction to the provisions of these Regulations (including but not limited to a condition of zoning approval or decision), penalties shall be as provided by General Statutes and City Charter section 248, as the case may be. (221-11, 223-07)

1.C.3. Duties of the Deputy ZEO

The Deputy ZEO performs such duties of the ZEO as assigned to them by the ZEO and shall be appointed by the Zoning Board. In the event the ZEO is unable to fulfill their responsibilities due to absence or disability as determined by the Land Use Bureau Chief, the Deputy ZEO shall temporarily assume the power and duties of the ZEO until the return of the ZEO and shall be the Acting ZEO.

The Deputy ZEO shall have the requisite qualifications for the ZEO position, shall not be the Chief Building Official and shall be an employee of the City of Stamford. The term of the Acting ZEO shall end with the return of the ZEO.

1.C.4. Appointment of an Acting ZEO by the Zoning Board.

If at that time of such absence or disability of the ZEO, there is no Deputy ZEO or the Deputy ZEO is unable to fulfill their responsibilities due to absence or disability then the Zoning Board may appoint another person as Acting ZEO for a period of 45 days.

A person acting as the ZEO shall have the requisite qualifications for the ZEO position, shall not be the Chief Building Official and shall be an employee of the City of Stamford. Should the absence or disability of the ZEO extend beyond 45 days, the term of the Acting ZEO may be extended by the Zoning Board in increments of no more than thirty (30) days for each extension. The term of the Acting ZEO shall end with the return of the ZEO.