

CITY OF WATERBURY CODE OF ORDINANCES: LAND BANK ORDINANCE

§ __. 0 TITLE.

This subchapter shall be known, and may be referred to as, the “Land Bank Ordinance”.

§ __. 1 LEGISLATIVE AUTHORITY.

This subchapter is enacted pursuant to Conn. Gen. Stat. §7-148(c)(7) and Public Act No. 19-175, An Act Concerning the Creation of Land Bank Authorities (hereinafter referred to as the “Land Bank Act”) and Public Act No. 19-92, An Act Concerning Abandoned and Blighted Property Receivership (hereinafter referred to as the “Abandoned and Blighted Property Act”).

§ __. 2 FINDINGS AND PURPOSE.

It has been determined that blighted, vacant, abandoned, and distressed properties are costly and present a danger to the health and safety of residents, and further, they contribute to the decline of neighborhoods and adversely affect the prosperity of the City of Waterbury.

The purpose of this Ordinance is to establish the Waterbury Land Bank Authority, Inc., hereinafter the “Land Bank Authority” or “Land Bank”, that will use available resources to facilitate the efficient disposition of “Real Property” (as defined in the Land Bank Act) within the City of Waterbury, to return blighted, vacant, abandoned, or distressed property to productive use.

The Land Bank will acquire, maintain and dispose of Real Property, as approved by The Waterbury Land Bank Authority, Inc.’s Board of Directors. The Land Bank will operate to facilitate the rehabilitation, revitalization, and redevelopment of properties to remedy and reverse urban decay within the City of Waterbury.

§ __. 3 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPOINTING AUTHORITY. The person or group of persons having the authority to appoint Directors for the Board of Directors as prescribed in the bylaws or this Ordinance.

BOARD OF ALDERMEN. Board of Aldermen of the City of Waterbury.

BOARD OF DIRECTORS. The board of directors for The Waterbury Land Bank Authority, Inc.

LAND BANK AUTHORITY. The Waterbury Land Bank Authority, Inc., a Connecticut nonstock corporation established for the purposes of acquiring, maintaining, and disposing of real property within the City of Waterbury.

MUNICIPALITY. The City of Waterbury, Connecticut.

REAL PROPERTY. As defined in the Land Bank Act, any land, subterranean or subsurface rights, structures, any and all easements, air rights and franchises and every estate, right or interest therein, but does not include any brownfield, as defined in section 32-760 of the Connecticut General Statutes.

§ __. 4 BOARD OF DIRECTORS.

(A) All operations of the Land Bank shall be governed by a Board of Directors as provided herein.

(B) Number of Board Members. The Board of Directors shall consist of seven (7) Directors.

(C) Method of Appointment. Appointment of the Directors shall be as follows:

- (1) Four (4) representatives appointed by the Chief Executive Officer of the City of Waterbury;
- (2) One (1) representative appointed by the Democratic members of the Board of Aldermen;
- (3) One (1) representative appointed by the Republican members of the Board of Aldermen;
- (4) One (1) representative appointed by the agreement of the Democratic members of the Board of Aldermen and the Republican members of the Board of Alderman.

(D) Initial Board of Directors. The initial Directors shall be appointed by the incorporator and shall be as follows:

- (1) Joel Becker
- (2) James Gatling
- (3) Gawdys Grullon
- (4) Daniel Lauer
- (5) Frederick Luedke
- (6) Mark Malaspina
- (7) Robert Polito

(E) Terms of Board Members. The initial Board of Directors shall serve three (3) year terms. Thereafter, the Board of Directors shall be a staggered board, divided into three groups; there shall be three (3) directorships with three (3) year terms; three (3) directorships with two (2) year terms and one (1) directorship with a one (1) year term. Each director shall hold office until the expiration of his or her term, or until his or her successor has been appointed and has qualified, whichever is later.

(F) Qualifications. To the greatest extent possible, directors shall include persons who work in the City of Waterbury, are residents of the City of Waterbury, or who work for an

organization that has a strong presence in the City of Waterbury. All members appointed to the Board shall be persons who have demonstrated special interest, experience or education in housing, land use or urban planning, real estate, community development, finance or related areas. A director may be an employee of the City of Waterbury, but no director shall also simultaneously be an elected official or public officer. For purposes of this Section, “public officer” shall mean a person who is elected to a municipal office.

- (G) Removal. A Director may be removed from office at any time by the Appointing Authority that appointed such Director.
- (H) Vacancies. Any vacancy in the Board of Directors arising at any time and from any cause, may be filled for the unexpired term by the Appointing Authority that appointed such Director. Each Director so appointed shall hold office until the expiration of the unexpired term of his or her predecessor, or until his or her successor is appointed, whichever is later.
- (I) Compensation. Directors shall serve without compensation.
- (J) Officers: The Board of Directors shall annually elect by a majority vote of the Directors; a chairperson, vice chairperson, secretary, treasurer and such other officers as the Board may determine. The officers shall be members of the Board of Directors. The meetings of the Board of Directors shall be open to the public except as may be permitted to be closed or held in executive session pursuant to Connecticut’s Freedom of Information Act, Title 1, Chapter 14 of the Connecticut General Statutes as the same may be amended from time to time.
- (K) Meetings of the Board. Regular meetings of the Board of Directors shall be held in accordance with a schedule adopted by the Board. Special meetings of the Board of Directors may be called by or at the request of the Chairperson or by a petition of a majority of the total membership of the Board.
- (L) Quorum. A majority of the total membership of the Board of Directors shall be required to constitute a quorum for the transaction of business. Any one or more director(s) may participate in any meeting of the Board of Directors through the use of telephone or similar communications equipment, provided each director at the meeting can hear each other director participating in the meeting. Except as otherwise provided by the Land Bank Act, this Ordinance, the Land Bank Authority bylaws, or by Law, the act of a majority of the directors present at a meeting at which a quorum is present at the time shall be the act of the Board of Directors.

§ __. 5 LAND BANK EMPLOYEES

(A) Employees; Services: The Land Bank may employ or otherwise contract for the services of any staff deemed necessary to carry out the duties and responsibilities of the Land Bank. Such staff may be employed as employees of the Land Bank, or the services of such staff may be retained pursuant to contracts with any public or private entity.

(B) Executive Director: The Board of Directors may select an Executive Director. An Executive Director selected shall administer the Land Bank in accordance with the operating budget adopted by the Board of Directors, general policy guidelines established by the Board of Directors, and other applicable governmental procedures and policies.

§ __. 6 LAND BANK POWERS

The Land Bank shall have all the powers and duties provided in the Land Bank Act, as it may be amended by the Connecticut General Assembly from time to time.

§ __. 7 ACQUISITION OF PROPERTY

(A) The Land Bank may, on terms and conditions and in a manner deemed proper by the Board of Directors, acquire any Real Property or interest thereof by gift, devise, transfer, exchange, foreclosure, purchase or other means.

(B) The Land Bank shall hold in its own name any Real Property or interest thereof so acquired.

(C) The Land Bank shall only acquire Real Property or interest thereof located within the Municipality.

§ __. 8 INVENTORY OF PROPERTY

The Land Bank shall maintain and make available for public inspection an inventory of any property held by the Land Bank.