

Town of Voluntown
Ordinance on Delinquent Taxes & Denial of
Permits, Contracts & Vendor Payments

SECTION I: For the purposes of this Ordinance, the following definitions shall apply:

- * "DELINQUENT AMOUNTS": Any delinquent taxes on real estate property.
- * "PERSON": Any individual, firm, company, partnership, association, society, corporation, group or other entity.

SECTION II:

- A. No official or agent of the Town of Voluntown, or any member of any board, office, department, commission or agency thereof, shall issue a certificate of occupancy, building permit, zoning permit, wetlands permit, driveway permit, encroachment permit, or any other certificate or permit for the use of, or improvements to, real property, to any owner or applicant thereof from whom any owner or applicant thereof from whom any delinquent amounts are owed to the Town of Voluntown upon such real property which is the subject of the application, except as provided in Section IV below.
- B. At the time any such application for a certificate or permit is filed, the applicant shall submit to the appropriate Town Official with the authority to issue such certificate or permit, sufficient written evidence from the Tax Collector that there are no delinquent amounts due to the Town from the owner of the real estate property which is the subject of the application.
- C. This section shall not be deemed to apply to those applications for permits which involve repair or construction work ordered by a public agency, or for emergency work to be performed for either public health or public agency concerns, nor shall it apply to those applicants who are making improvements to their real property with loans or grants received under any State and/or Federal rehabilitation programs.

SECTION III:

No payment shall be made by the Treasurer of the Town of Voluntown or by any other Town official, department head, employee, board, commission or agency to any person who has sold goods or provided services to the Town or to any board, office, department, commission or agency thereof, if, at the time said payment is due, it is determined that said person owes delinquent amounts to the Town, provided that no such payment to be withheld shall exceed the delinquent amounts owed at the time of withholding. Any such sums withheld pursuant to this section shall be paid to the Tax Collector and applied against the outstanding delinquent amounts owed by such person, first to any outstanding interest, fees and charges, and then to the outstanding principal balance.

SECTION IV:

- A. Notwithstanding anything provided hereinbefore to the contrary, no certificate or permit under Section II hereof shall be withheld if the person owing said delinquent amounts has entered into a written agreement with the Town of Voluntown, by and through the Tax Collector, which shall provide for an immediate payment to the Town of all outstanding legal fees, interest, fees and charges included in said delinquent amounts and at least one half of the principal balance owed, with a payment plan requiring the installments over a period of no greater than twenty-four months from the date of said agreement. In the event any person owing delinquent amounts is unable to enter into such agreement with the Tax Collector, an alternate method for paying said delinquent amounts, which if acceptable to the Tax Collector, shall be subject to the approval of the Board of Selectmen. In either event, interest shall continue to accrue on said delinquent amounts at the rate allowed by law. Any such payment agreement shall be in addition to, and not in lieu of, any and all collection methods and remedies available to the Tax Collector as allowed by law.
- B. In the event any person enters into a written agreement with the Tax Collector as provided hereinbefore, or proposes an alternate method of paying said delinquent amounts which has been accepted by the Tax Collector and approved by the Board of Selectmen, proof of any such agreement or approval shall be delivered to the Town Official having the authority to issue such certificate or permit prior to issuance.
- C. The exception provided in the first paragraph of this section, and any agreement entered into pursuant thereto, shall be for the sole purpose of allowing a person owing delinquent amounts to obtain a certificate or permit, and shall not in any way constitute, or be construed as constituting, an agreement by the Town of Voluntown or the Tax Collector to forbear the collection of said delinquent amounts during the period of the approved monthly payment plan. The Tax Collector shall continue to have the right to exercise all powers allowed by law to collect said delinquent amounts sooner than set forth in said agreement, and at no time shall the Town be required to stay or forestall any other collection methods or remedies during such period.

SECTION V:

The Tax Collector and the Treasurer of the Town of Voluntown shall coordinate their activities so that the purpose and intent of this Ordinance may be carried out. All other officials, department heads and employees of the Town shall coordinate their activities with those of the Tax Collector and Treasurer in a like manner.

SECTION VI:

Any person entering into any contract with the Town of Voluntown, or doing business with the Town of Voluntown, shall be deemed to have expressly consented and agreed to the terms of Section III of this Ordinance, which terms shall become an integral part of

the contract or agreement between such person and the Town, even if not specifically set forth in said contract or agreement.

SECTION VII:

All invitations to bid extended to prospective bidders in the award of municipal contracts subject to the public bidding procedure, as provided for in the Connecticut General Statutes, shall include a reference to this Ordinance. The failure of any invitation to bid to include such reference shall in no way affect the validity of the invitation or of the applicability of this Ordinance.

SECTION VIII:

If any provision of the Ordinance is declared invalid, the remaining provisions hereof shall continue in full force and effect.

SECTION IX:

This Ordinance shall become effective fifteen days after publication, as provided by Connecticut General Statute, §7-157.

Passed at Town Meeting: May 31, 2011

Date Published: June 3, 2011

Effective Date: June 18, 2011