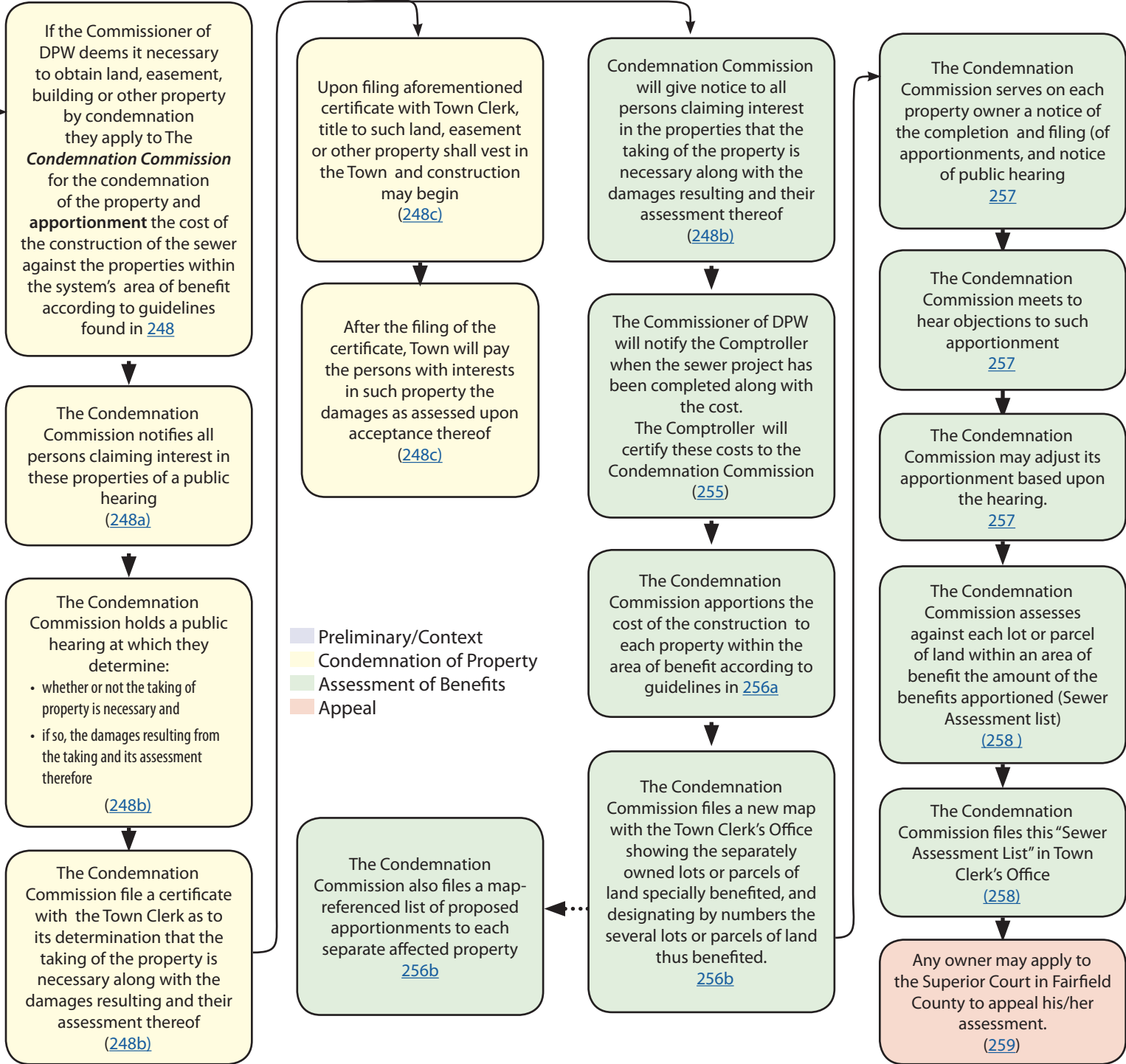


Condemnation Process Flowchart For Property Related To SEWERS

with hyperlinks to Town Municode site

The Commissioner of the DPW applies to the BET for funding for a new sewer system or part thereof.

- The BET holds a public Hearing
- The BET establishes the following Criteria which will be used by the Condemnation Commission:
 - The **area** presently benefited by construction of the system
 - the portion of the cost which will be reimbursed to the Town by the assessment of benefits against the property within this area of present benefit;
 - The **area** which will, in the future, will benefit by construction of the system
 - the portion of the cost which will be reimbursed to the Town by the assessment of benefits against the property within this area of future benefit.
- A map and list named "Potential Sewer Benefits" outlining the properties benefitting from the construction" is created
- BET approves this map and then the Comptroller files it with the Town Clerk [\(246-247\)](#)



- Preliminary/Context
- Condemnation of Property
- Assessment of Benefits
- Appeal

Condemnation Process Flowchart For Property Related To HIGHWAY & DRAINAGE

with hyperlinks to Town Municode site

- Preliminary/Context
- Condemnation of Property
- Assessment of Benefits
- Appeal

The Commissioner (of Public Works) shall have power to lay out, alter, construct, or reconstruct, maintain or repair, widen or grade any highway within the Town whenever, in his judgment, the interests of the Town shall so require. [\(158C\)](#)

Whenever the Commissioner of Public Works shall deem it necessary to take any land for the layout, alteration, extension, widening, change of grade or improvement of any highway in the Town and cannot agree with the owners of such land as to the damages which will be sustained or the benefits which will accrue to such owners from such taking, he shall submit the matter with the plan of such land as he shall deem it necessary to take to the Condemnation Commission [\(159a\)](#)

Drainage: [\(163\)](#)

The Condemnation Commission notifies all persons claiming interest in these properties of a public hearing [\(159b\)](#)

The Condemnation Commission holds a public hearing at which they determine whether or not the taking of property is necessary and [\(159b\)](#)

If it does find the taking necessary, The Condemnation Commission makes an assessment of such damages and of such benefits [\(160a\)](#)

The Condemnation Commission files its assessment of damages and benefits with the Town Clerk [\(160a\)](#)

Upon filing with Town Clerk, and at any time thereafter the physical construction of such layout, alteration, extension, widening, change of grade or other improvement may be made by the Commissioner of Public Works. [\(159a\)](#)

The Town Clerk shall give notice of such assessment to the property owners affected [\(160b\)](#)

Does owner challenge Condemnation Commission assessment?

No

Damages

Benefits

Yes

Any person claiming to be aggrieved by assessment of special damages or of special benefits by the Condemnation Commission may, at any time within thirty (30) days after such assessment shall have been so filed, apply to the Superior Court for Fairfield County [\(162a\)](#)

An appeal will not delay construction [\(162c\)](#)

The Court appoints a Committee of "3 disinterested electors" to hear the applicant and the Condemnation Commission and decide the case [\(162b-c\)](#)

The owners of such land shall be paid by the Town for all damages and the Town shall receive from such owners the amount or value of all benefits resulting from such taking. [\(159b\)](#)

The Treasurer shall pay to any land owner the damages so assessed by the Condemnation Commission or reassessed by the court as hereinafter provided, upon certification of the amount by the Town Clerk if assessed by the Condemnation Commission or by the clerk of the court if reassessed by a committee and accepted by the court as herein provided. [\(160b\)](#)

The amount of such benefits so assessed by the Condemnation Commission or reassessed by the court, as the case may be, shall constitute a lien upon the land against which such benefits were assessed until the amount thereof shall have been paid by the property owner... No such lien shall continue against such land unless notice of the same shall have been filed by the Condemnation Commission in the land records of the Town within sixty (60) days after the filing of such assessment or after the acceptance by the court of such reassessment. [\(161\)](#)

Condemnation Process Flowchart For Property Related To PUBLIC PARKING

with hyperlinks to Town Municode site

- Preliminary/Context
- Condemnation of Property
- Assessment of Benefits
- Appeal

The Town is authorized to acquire real property, which shall include improvements, easements, hereditaments and every estate and interest therein, by purchase, lease, gift or condemnation, and to improve the same, for the purpose of providing for the public parking of vehicles, after funds to cover the estimated cost of acquisition and improvement have been appropriated and allotted as hereinafter provided and as provided by law in the Town. (123)

After funds have been appropriated and allotted for the acquisition of any area for public parking, the Director of Parking Services may acquire such area by negotiation (128a)

