AN ACT CONCERNING THE ESTABLISHMENT OF HIGH PERFORMANCE GREEN BUILDING STANDARDS FOR VOLUNTARY ADOPTION BY MUNICIPALITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 16a-38k of the 2020 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

(a) Notwithstanding any provision of the general statutes, any (1) new construction of a state facility that is projected to cost five million dollars, or more, and for which all budgeted project bond funds are allocated by the State Bond Commission on or after January 1, 2008, (2) renovation of a state facility that is projected to cost two million dollars or more, of which two million dollars or more is state funding, approved and funded on or after January 1, 2008, (3) new construction of a facility that is projected to cost five million dollars, or more, of which two
million dollars or more is state funding, and is authorized by the
General Assembly pursuant to chapter 173 on or after January 1, 2009,
and (4) renovation of a public school facility as defined in subdivision
(18) of section 10-282 that is projected to cost two million dollars or
more, of which two million dollars or more is state funding, and is
authorized by the General Assembly pursuant to chapter 173 on or after
January 1, 2009, shall comply with the regulations described in
subsection (b) of this section, provided any regulations adopted
pursuant to this section before the effective date of this section shall
remain in effect until the regulations described in subsection (b) of this
section are adopted. The Commissioner of Energy and Environmental
Protection, in consultation with the Commissioner of Administrative
Services and the Institute for Sustainable Energy, shall exempt any
facility from complying with the regulations adopted pursuant to
subsection (b) of this section if the Commissioner of Energy and
Environmental Protection, in consultation with the Commissioner of
Administrative Services and the Secretary of the Office of Policy and
Management, finds, in a written analysis, that the measures needed to
comply with the building construction standards are not cost effective,
as defined in subdivision (8) of subsection (a) of section 16a-38. Nothing
in this section shall be construed to require the redesign of any new
construction of a state facility that is designed in accordance with the
silver building rating of the Leadership in Energy and Environmental
Design's rating system for new commercial construction and major
renovation projects, as established by the United States Green Building
Council, or an equivalent standard, including, but not limited to, a two-
globe rating in the Green Globes USA design program, provided the
design for such facility was initiated or completed prior to the adoption
of the regulations described in subsection (b) of this section. For
purposes of subdivisions (1) and (2) of this subsection, a state facility
shall not include a salt shed, parking garage or any type of maintenance
facility, provided such shed, garage or facility has incorporated best
energy efficiency standards to the extent economically feasible.

(b) Not later than January 1, [2020] 2021, the Commissioner of Energy
and Environmental Protection, in consultation with the Commissioner of Administrative Services, shall adopt regulations, in accordance with the provisions of chapter 54, to adopt (1) state building construction standards, [that (1) are] and (2) residential and commercial building construction standards that may be adopted by municipalities. Each set of such standards shall be (A) based on a nationally recognized model for sustainable construction codes that promotes the construction of high performance green buildings that have reduced emissions, have enhanced building occupant health and comfort, are designed to conserve water resources, are designed to promote sustainable and regenerative materials cycles and provide enhanced resilience to natural, technological and human-caused hazards, and [(2)] (B) include a standard for inclusion of electric vehicle charging stations, and thereafter update such regulations as the Commissioner of Energy and Environmental Protection deems necessary.

(c) Any municipality that adopts the residential and commercial building construction standards that are adopted in regulations pursuant to subsection (b) of this section shall inform the Commissioner of Energy and Environmental Protection of such adoption. The commissioner shall maintain a list of municipalities that adopt such building construction standards on the Department of Energy and Environmental Protection's Internet web site.

(d) The Commissioner of Energy and Environmental Protection, or the commissioner's designee, may review a decision by any municipal official or any municipal board of appeals whenever the commissioner, or the commissioner's designee, determines that such official or board of appeals misconstrued or misinterpreted a provision of the residential and commercial building construction standards that are adopted in regulations pursuant to subsection (b) of this section. In undertaking any such review, the commissioner, or the commissioner's designee, shall consult with such official or board of appeals. If the commissioner determines that a provision of such standards was misconstrued or misinterpreted, the commissioner may issue an interpretation of such standards and may grant a variance from any provision of such standards.
standards or determine the suitability of alternate materials and methods of construction. Any such determination or grant by the commissioner or the commissioner’s designee, shall be in writing and sent to such municipal official or municipal board of appeals, by registered mail, return receipt requested. Any person aggrieved by any such determination or grant by the commissioner, or the commissioner’s designee, may appeal to the Superior Court for the judicial district where the affected premises or proposed construction is located.

Sec. 2. Subdivision (7) of subsection (c) of section 7-148 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

(7) (A) (i) Make rules relating to the maintenance of safe and sanitary housing;

(ii) Regulate the mode of using any buildings when such regulations seem expedient for the purpose of promoting the safety, health, morals and general welfare of the inhabitants of the municipality;

(iii) Regulate and prohibit the moving of buildings upon or through the streets or other public places of the municipality, and cause the removal and demolition of unsafe buildings and structures;

(iv) Regulate and provide for the licensing of parked trailers when located off the public highways, and trailer parks or mobile manufactured home parks, except as otherwise provided by special act and except where there exists a local zoning commission so empowered;

(v) Establish lines beyond which no buildings, steps, stoop, veranda, billboard, advertising sign or device or other structure or obstruction may be erected;

(vi) Regulate and prohibit the placing, erecting or keeping of signs, awnings or other things upon or over the sidewalks, streets and other public places of the municipality;

(vii) Regulate plumbing and house drainage;
(viii) Prohibit or regulate the construction of dwellings, apartments, boarding houses, hotels, commercial buildings, youth camps or commercial camps and commercial camping facilities in such municipality unless the sewerage facilities have been approved by the authorized officials of the municipality;

(ix) Adopt the standards for residential and commercial building construction contained in the regulations adopted pursuant to subsection (b) of section 16a-38k, as amended by this act;

(B) (i) Regulate and prohibit, in a manner not inconsistent with the general statutes, traffic, the operation of vehicles on streets and highways, off-street parking and on-street residential neighborhood parking areas in which on-street parking is limited to residents of a given neighborhood, as determined by the municipality;

(ii) Regulate the speed of vehicles, subject to the provisions of the general statutes relating to the regulation of the speed of motor vehicles and of animals, and the driving or leading of animals through the streets;

(iii) Require that conspicuous signage be posted in any area where a motor vehicle may be subject to towing or to the use of a wheel-locking device that renders such motor vehicle immovable, and that such signage indicate where the motor vehicle will be stored, how the vehicle may be redeemed and any costs or fees that may be charged;

(C) Regulate and prohibit the construction or use, and require the removal of sinks, cesspools, drains, sewers, privies, barns, outhouses and poultry pens and houses;

(D) (i) Regulate and prohibit the going at large of dogs and other animals in the streets and public places of the municipality and prevent cruelty to animals and all inhuman sports, except that no municipality shall adopt breed-specific dog ordinances;

(ii) Regulate and prohibit the keeping of wild or domestic animals,
including reptiles, within the municipal limits or portions thereof;

(E) Define, prohibit and abate within the municipality all nuisances and causes thereof, and all things detrimental to the health, morals, safety, convenience and welfare of its inhabitants and cause the abatement of any nuisance at the expense of the owner or owners of the premises on which such nuisance exists;

(F) (i) Keep streets, sidewalks and public places free from undue noise and nuisances, and prohibit loitering thereon;

(ii) Regulate loitering on private property with the permission of the owner thereof;

(iii) Prohibit the loitering in the nighttime of minors on the streets, alleys or public places within its limits;

(iv) Prevent trespassing on public and private lands and in buildings in the municipality;

(G) Prevent vice and suppress gambling houses, houses of ill-fame and disorderly houses;

(H) (i) Secure the safety of persons in or passing through the municipality by regulation of shows, processions, parades and music;

(ii) Regulate and prohibit the carrying on within the municipality of any trade, manufacture, business or profession which is, or may be, so carried on as to become prejudicial to public health, conducive to fraud and cheating, or dangerous to, or constituting an unreasonable annoyance to, those living or owning property in the vicinity;

(iii) Regulate auctions and garage and tag sales;

(iv) Prohibit, restrain, license and regulate the business of peddlers, auctioneers and junk dealers in a manner not inconsistent with the general statutes;

(v) Regulate and prohibit swimming or bathing in the public or
exposed places within the municipality;

(vi) Regulate and license the operation of amusement parks and amusement arcades including, but not limited to, the regulation of mechanical rides and the establishment of the hours of operation;

(vii) Prohibit, restrain, license and regulate all sports, exhibitions, public amusements and performances and all places where games may be played;

(viii) Preserve the public peace and good order, prevent and quell riots and disorderly assemblages and prevent disturbing noises;

(ix) Establish a system to obtain a more accurate registration of births, marriages and deaths than the system provided by the general statutes in a manner not inconsistent with the general statutes;

(x) Control insect pests or plant diseases in any manner deemed appropriate;

(xi) Provide for the health of the inhabitants of the municipality and do all things necessary or desirable to secure and promote the public health;

(xii) Regulate the use of streets, sidewalks, highways, public places and grounds for public and private purposes;

(xiii) Make and enforce police, sanitary or other similar regulations and protect or promote the peace, safety, good government and welfare of the municipality and its inhabitants;

(xiv) Regulate, in addition to the requirements under section 7-282b, the installation, maintenance and operation of any device or equipment in a residence or place of business which is capable of automatically calling and relaying recorded emergency messages to any state police or municipal police or fire department telephone number or which is capable of automatically calling and relaying recorded emergency messages or other forms of emergency signals to an intermediate third
party which shall thereafter call and relay such emergency messages to
a state police or municipal police or fire department telephone number.
Such regulations may provide for penalties for the transmittal of false
alarms by such devices or equipment;

(xv) Make and enforce regulations for the prevention and
remediation of housing blight, including regulations reducing
assessments and authorizing designated agents of the municipality to
to enter property during reasonable hours for the purpose of remediating
blighted conditions, provided such regulations define housing blight
and require such municipality to give written notice of any violation to
the owner and occupant of the property and provide a reasonable
opportunity for the owner and occupant to remediate the blighted
conditions prior to any enforcement action being taken, and further
provided such regulations shall not authorize such municipality or its
designated agents to enter any dwelling house or structure on such
property, and including regulations establishing a duty to maintain
property and specifying standards to determine if there is neglect;
prescribe civil penalties for the violation of such regulations of not less
than ten or more than one hundred dollars for each day that a violation
continues and, if such civil penalties are prescribed, such municipality
shall adopt a citation hearing procedure in accordance with section 7-
152c;

(xvi) Regulate, on any property owned by the municipality, any
activity deemed to be deleterious to public health, including the lighting
or carrying of a lighted cigarette, cigar, pipe or similar device;

This act shall take effect as follows and shall amend the following
sections:

<table>
<thead>
<tr>
<th>Section</th>
<th>Effective Date</th>
<th>Code Section</th>
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<tbody>
<tr>
<td>Section 1</td>
<td>July 1, 2020</td>
<td>16a-38k</td>
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<tr>
<td>Sec. 2</td>
<td>July 1, 2020</td>
<td>7-148(c)(7)</td>
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</tbody>
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Statement of Purpose:
To implement the Governor’s budget recommendations.
[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]