

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-173—sSB 1002

Planning and Development Committee

**AN ACT CONCERNING ZONING ENFORCEMENT OFFICER
CERTIFICATION**

SUMMARY: This act makes several unrelated changes to land use laws to:

1. clarify an existing certification requirement for zoning enforcement officers (ZEOs),
2. generally allow zoning commission or zoning board of appeals (ZBA) members to serve as alternates on a municipality’s planning commission, and
3. exempt certain individuals with practical land use experience from training requirements applicable to land use board members and reduce the training frequency for non-exempt members.

The act also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2023

§ 1 — ZEO CERTIFICATION

Prior law established a certification requirement for certain ZEOs. The act clarifies this requirement and applies it to ZEOs newly appointed beginning January 1, 2024.

Beginning January 1, 2023, prior law required that ZEOs working in municipalities that exercise zoning authority under the statutes obtain certification, without specifying a timeframe in which to do so, from the Connecticut Association of ZEOs and maintain it for the duration of their ZEO employment. The act specifies that ZEOs must become certified “as soon as practicable” after appointment. In practice, the Connecticut Association of ZEOs generally requires, among other things, someone to have experience serving as a ZEO before it grants certification.

§ 2 — PLANNING COMMISSION ALTERNATES

The act allows zoning commission or ZBA members to serve as alternates on a municipality’s planning commission, so long as they recuse themselves from any appeal before the ZBA that they heard as an alternate on the planning commission.

Existing law, unchanged by the act, prohibits planning commission and ZBA members from serving as alternates on the municipality’s zoning commissions or combined planning and zoning commissions (CGS § 8-1b).

§ 3 — TRAINING FOR CERTAIN LAND USE OFFICIALS

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Prior law required each member of a local planning commission, zoning commission, planning and zoning commission, or ZBA to complete at least four hours of training every other year (see BACKGROUND). The act exempts from this requirement (1) land use enforcement officers and (2) Connecticut-licensed attorneys who served at least four years on one of these boards or commissions. The act also eliminates the requirement that members complete training biennially, instead requiring them to complete the training once every four years or once per term if their term is longer than four years.

For non-exempt members, the act retains the existing requirement that members (1) serving on a board or commission as of January 1, 2023, complete their initial training by January 1, 2024, and (2) not serving on January 1, 2023, complete the training within one year after being elected or appointed to the board or commission.

By law and unchanged by the act, each board or commission, starting by March 1, 2024, must annually submit to its municipal legislative body (or board of selectmen, if a town meeting) a statement affirming its members' compliance with the law's training requirement.

BACKGROUND

Land Use Training

The law requires the training for land use officials to include at least one hour on affordable and fair housing policies. Training may also cover:

1. process and procedural matters, including the conduct of effective meetings and public hearings and the Freedom of Information Act;
2. interpreting site plans, surveys, maps, and architectural conventions; and
3. the impact of zoning on the environment, agriculture, and historic resources.