



OFFICE  
OF THE  
TOWN COUNCIL

## *Town of South Windsor*

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074-2786

AREA CODE 860/644-2511

FAX 860/644-3781

November 22, 2016

Mr. Matthew B. Galligan, Town Manager  
Town of South Windsor  
1540 Sullivan Avenue  
South Windsor, CT 06074

Dear Mr. Galligan:

At its Regular Meeting of November 21, 2016, the South Windsor Town Council approved the following Resolution:

WHEREAS, the Town of South Windsor has recognized the serious issue of defective foundations (also known as crumbling foundations); and

WHEREAS, the Town understands the enormous financial hardship being experienced by property owners facing costly repairs to defective foundations; and

WHEREAS, the Town wishes to waive permit fees related to the repair or replacement of defective foundations; and

WHEREAS, the issuance of building permits and the collection of permit fees by the Town of South Windsor is regulated by state statute; and

WHEREAS, the Town building official is appointed pursuant to C.G.S. Sec. 29-260, and such official is authorized to enforce the state building code pursuant to Regulations of Connecticut State Agencies Sec. 29-252-1d; and

WHEREAS, the state building code specifically authorizes municipalities to establish a schedule of building fees (Regulations of Connecticut State Agencies Sec. 29-252-1d); and

**(Resolution Continued on Next Page)**

Amend and Restate Resolution for Waiver of Permit Fees for Crumbling Foundations  
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WHEREAS, on June 6, 2016, the Council adopted a resolution regarding the waiver of permit fees of defective foundations which did not specifically address the issue of refunds for prior repairs of defective foundations; and

WHEREAS, the Council wishes to amend and restate the prior resolution to specifically address this issue

NOW, THEREFORE, BE IT RESOLVED that the Town's schedule of building permit fees shall include a waiver for permits submitted for the repair or replacement of defective concrete foundations, including basement walls, footings, and floors, and further, that in order to obtain such waiver, the applicant shall submit to the building official an application for a waiver either with the permit application, or at anytime within 5 years of the permit being issued, along with evidence of the defective concrete, to the satisfaction of the building official or the official's designee. Further in the event of a waiver being approved after a permit has issued, the building official or the designee may approve, in the official's sole discretion, a refund of any or all fees paid and related to the repair or replacement of defective concrete.

Respectfully submitted

Deborah W. Reid  
Deborah W. Reid  
Clerk of the Council

cc: Chris Dougan, Chief Building Official  
Town Attorney Morris Borea, McGivney & Kluger, P.C.

