

Proposal 3-12-2015

Section VII, Payment of Special Benefit Assessments

- A.** Notice of the date when assessments are due and payable shall be published in a newspaper having a circulation in the Town of Avon at least twice within a period of fifteen (15) days, which notice shall list the streets and describe the area within which are located any properties against which such assessments are due.
- B.** Benefit assessments shall be due and payable within sixty (60) days of billing unless the assessed property owner(s) elect(s) in writing to pay the assessment on an installment basis, as follow:
 - 1. The assessed property owner(s) shall pay in substantially equal annual installments under such terms, conditions, number of annual installments (up to ten (10)) and rate of interest as determined by the Avon Water Pollution Control Authority. However, where applicable, the duration of the installment payments and the rate of interest shall not exceed the limitations prescribed by Section 7-253 of the Connecticut General Statutes, as amended. The first installment shall be paid at the time that the assessment otherwise would be due. The property owner(s) may at any time elect to make payment of the remaining unpaid assessment and, thereby, avoid incurring interest after such payment.
 - 2. Upon transfer of title to the assessed property, the remaining unpaid installments and accrued interest due thereon shall become immediately due and owing, however, such property owner(s) or legal representative may request the Authority to suspend or waive this provision upon showing good cause for such requested action and property owner(s) agreement to be bound by the terms of the installment plan.
 - 3. A certificate giving notice of the installment payment shall be recorded on the land records by the Town Clerk in a form substantially as prescribed by Section 7-253 of the Connecticut General Statutes, as amended.
- C.** Any unpaid benefit assessment or any unpaid installment thereof and any interest due thereon shall constitute a lien upon the real estate against which the assessment was levied.
- D.** The property owner(s) shall be in default if any benefit assessment or an installment thereof is not paid within thirty (30) days after the due date and shall be subject to interest prescribed by the Connecticut General Statutes, as amended. Further, whenever any installment is in default

then any unpaid remaining installments shall also become immediately due and owing.

- E.** Elderly and disabled property owner(s) may be eligible for adjustment in sewer assessment payments as provided by the Town and Section 7-253a of the Connecticut General Statutes.
- F.** Notwithstanding anything to the contrary in this Section VII, the Authority (and Town) may exercise any of the rights and privileges afforded to it by law, including those under Chapter 103, Municipal Sewerage Systems in the Connecticut General Statutes, as amended.
- G.** The revisions to this Section VII shall be effective after approval by the Authority and publication as prescribed by the Town of Avon Ordinances and shall pertain to benefit assessments occurring after such date. Previous benefit assessments remain subject to the prior Section VII, applicable law and terms of such benefit assessment.

Rev. , 2015