



General Assembly

Substitute Bill No. 5391

February Session, 2026



AN ACT CONCERNING THE ENFORCEMENT OF ZONING REGULATIONS.

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

1 Section 1. Section 8-12 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 If any building or structure has been erected, constructed, altered,
4 converted or maintained, or any building, structure or land has been
5 used, in violation of any provision of this chapter or of any bylaw,
6 ordinance, rule or regulation made under authority conferred [hereby]
7 by any provision of this chapter or by any special act, any official having
8 jurisdiction, in addition to other remedies, may institute an action or
9 proceeding to prevent such unlawful erection, construction, alteration,
10 conversion, maintenance or use or to restrain, correct or abate such
11 violation or to prevent the occupancy of such building, structure or land
12 or to prevent any illegal act, conduct, business or use in or about such
13 premises. Such bylaws, ordinances, rules or regulations shall be
14 enforced by the officer or official board or authority designated therein,
15 who shall be authorized to cause any building, structure, place or
16 premises to be inspected and examined and to order in writing the
17 remedying of any condition found to exist therein or thereon in violation
18 of any provision of the regulations made under authority of the
19 provisions of this chapter or, when the violation involves grading of

20 land, the removal of earth or soil erosion and sediment control, to issue,
21 in writing, a cease and desist order to be effective immediately. [The]
22 Notwithstanding the provisions of any bylaw, ordinance, rule or
23 regulation made under authority conferred by any provision of this
24 chapter or by any special act, the owner or agent of any building or
25 premises where a violation of any provision of such bylaws, ordinances,
26 rules or regulations has been committed or exists, or the lessee or tenant
27 of an entire building or entire premises where such violation has been
28 committed or exists, or the owner, agent, lessee or tenant of any part of
29 the building or premises in which such violation has been committed or
30 exists, or the agent, architect, builder, contractor or any other person
31 who commits, takes part or assists in any such violation or who
32 maintains any building or premises in which any such violation exists,
33 shall be fined not less than ten dollars or more than one hundred dollars
34 for each day that such violation continues; but, if the offense is wilful,
35 the person convicted thereof shall be fined not less than one hundred
36 dollars or more than two hundred fifty dollars for each day that such
37 violation continues, or imprisoned not more than ten days for each day
38 such violation continues not to exceed a maximum of thirty days for
39 such violation, or both; and the Superior Court shall have jurisdiction of
40 all such offenses, subject to appeal as in other cases. [Any]
41 Notwithstanding the provisions of any bylaw, ordinance, rule or
42 regulation made under authority conferred by any provision of this
43 chapter or by any special act, any person who, having been served with
44 an order to discontinue any such violation, fails to comply with such
45 order [within] not later than ten days after such service, or having been
46 served with a cease and desist order with respect to a violation involving
47 grading of land, removal of earth or soil erosion and sediment control,
48 fails to comply with such order immediately, or continues to violate any
49 provision of the bylaws, ordinances, rules or regulations made under
50 authority of the provisions of this chapter or any special act specified in
51 such order shall be subject to a civil penalty not to exceed two thousand
52 five hundred dollars, payable to the treasurer of the municipality. In any
53 criminal prosecution under this section, the defendant may plead in
54 abatement that such criminal prosecution is based on a zoning bylaw,

55 ordinance, rule or regulation which is the subject of a civil action
56 wherein one of the issues is the interpretation of such bylaw, ordinance,
57 rule or [regulations] regulation, and that the issues in the civil action are
58 such that the prosecution would fail if the civil action results in an
59 interpretation different from that claimed by the state in the criminal
60 prosecution. If the court renders judgment for such municipality and
61 finds that the violation was wilful, the court shall allow such
62 municipality its costs, together with reasonable attorney's fees to be
63 taxed by the court. The court before which such prosecution is pending
64 may order such prosecution abated if it finds that the allegations of the
65 plea are true.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	8-12

PD *Joint Favorable Subst.*