

[This is an unofficial copy of the Local Law. This was re-typed for publication and/or archival purposes, and is believed to be an accurate and complete copy of the Local Law, as originally passed. The official copy of this Local Law is on file at the Village Office.]

Local Law # 1 of 1995, a local law regarding property maintenance.

Be it enacted by the Board of Trustees of the Village of Port Henry as follows:

Section 1. Legislative Intent. It is the finding of the Board of Trustees of the Village of Port Henry that the existence of abandoned and unattended buildings or parts of buildings within the Village of Port Henry which may or may not be structurally sound, constitute a danger and a threat to the safety, health, comfort, and general welfare of this Village. It is thus the intent of this Local law to provide for the protection of property, the preservation of peace and good order, the benefit of trade, and the preservation and protection of public works as provided by Article 4, section 412 of the Village Law of the State of New York.

Section 2. Definitions. The following words and phrases as used in this Local Law shall have the meaning hereinafter ascribed to them. All other words and phrases shall have the meaning normally ascribe to them.

- a. Village: The Incorporated Village of Port Henry.
- b. Board of Trustees: The duly elected and constituted Board of Trustees of the Village of Port Henry.
- c. Building: House, shed, fence or other man-made structure, or part of any such house, shed, fence or structure.

Section 3. Dangerous Building. For the purposes of this Local Law, a dangerous building is declared to be (a) any building which is dangerous to the public health, safety and general welfare because of its condition and which may cause or aid in the spread of disease or injury to the the health, safety or general welfare of the occupants of it or of neighboring buildings, or (b) any building which, because of lack of proper repair, construction or supervision, constitutes or creates a fire hazard, or (c) any building which because of its condition or because of a lack of proper windows or doors is available to and frequented by malefactors or disorderly persons.

Section 4. Prohibition. Any owner, occupant or person in custody of real property located within the Village of Port Henry who allows or permits a building to continue as a dangerous building after due notice as provided in Section 5 below shall be guilty of a violation of this Local law and shall be punished as provided in Section 7 below.

Section 5. Determination. Whenever the Board of Trustees shall have reasonable cause to believe that any building in the Village of Port Henry is a dangerous building, a statement setting forth such facts shall be filed by the Mayor with the Village Clerk. The Clerk shall thereupon cause written notice to be serve upon the owner thereof and upon the occupant thereof, if any, by registered mail or by personal service. Such notice shall state that the building has been declared a dangerous building and that necessary repairs or improvements must be begun within fifteen (15) days after service of such notice or such person or persons will be charge with a violation of this Local Law. Such notice shall be

in substantially the following form:

To: _____

From: The Board of Trustees of the Village of Port Henry

You are hereby notified that the Board of Trustees of the Village of Port Henry has determined that the building owned by you and located at _____ has been declared a dangerous building as provided for and defined in Local Law Number 1 of the year 1995 in that (herein insert particulars) after inspection by the Village Board of the Village of Port Henry in accordance with the provisions of such Local Law, you are hereby directed to begin all necessary repairs or improvements within fifteen (15) days after service of this notice. Failure to so comply will result in a violation of Local Law Number 1 of the year 1995 which provides for a penalty, upon conviction for a fine not to exceed two hundred and fifty dollars (\$250.00) for each week of such violation.

Section 6. Trespass Prohibited. In addition to serving a notice on the owner as provided in Section 5 above, the Board of Trustees may, if it determines that the purposes of this Local law will be further effectuated, order that no person other than the owner or his agent shall enter upon the property and shall post on such property signs indicating "NO TRESPASSING". When such a determination is made, notice of such fact shall be included in the notice to the owner referred to in Section 5 above. Anyone found trespassing in violation of this section shall be liable for a fine not to exceed fifty dollars (\$50.00) for each offense.

Section 7. Penalties. Except as provided in Section 6 above, any person found guilty of violating this Local Law shall be liable for a fine not to exceed two hundred fifty dollars (\$250.00) for each violation. Each week such violation shall continue shall constitute a separate violation.

Section 8. Effective Date. This Local Law shall take effect immediately.