

ORDINANCE #12

TOWN OF SCHROON

ORDINANCE PROVIDING FOR THE REMOVAL OR REPAIR OF UNSAFE BUILDINGS IN THE TOWN OF SCHROON

BE IT RESOLVED AND ORDAINED by the Town Board, Town of Schroon, County of Essex and State of New York, as follows:

Section 1. DEFINITIONS:

a) OWNER - The term owner as used in this ordinance shall include an individual, society, club, firm, partnership, corporation, legal representative or association of persons, holding title to real property in the Town of Schroon and the singular number shall include the plural number.

b) BUILDING - The term building shall include any structure, edifice, mobile home or travel trailer designed for the habitation of men or animals or for the shelter of property.

Section 2. Whenever it shall be determined by the Town Board of the Town of Schroon that any building, or the remains of any building partially or wholly dismantled, in business, industrial or residential areas of the Town of Schroon, from any cause, may now be or shall hereafter become dangerous or unsafe to the public, the Town Board shall forthwith require the removal or repair of such building or buildings in the following manner:

a) The Town Board shall appoint an official to inspect the building and make written report to the Town Board of the condition of the building and whether the building can be repaired and put in safe condition.

b) Upon filing of this report of the inspection of the building, the Town Board shall cause notice to be served on the owner or the legal representative, agent, lessees or any other person having a vested or contingent interest in the building either personally or by registered mail, addressed to the last known address, if any, or address of legal representative, agents, lessees, or other person having a vested or contingent interest in the building, as shown by the records of the receiver of taxes and/or in the office of the County Clerk, containing a description of the premises, a statement of the particulars in which the building or structure is unsafe or dangerous and an order requiring same to be made safe and secure or removed; and if such service be made by registered mail, a copy of such notice shall be posted on the premises.

c) Within 10 days from the date of mailing of said notice of unsafe building, the owner shall commence the securing or removal of the building and shall complete the securing or removal of said building within a period of thirty days thereafter.

In the event of neglect or refusal of the person served with notice to commence securing or removal of the building within 10 days from the date of mailing of the notices of the condition of said building as provided for herein, the Town Board shall cause a survey of the premises to be made by an inspector, practical builder, engineer or an architect to

be named by the Town Board and a practical builder, engineer or architect appointed by the person so notified as above. In the event of refusal or neglect of the person so notified to appoint such surveyor, the surveyors named by the Town Board shall make the survey and report.

Notice of intention of the Town Board to survey the premises shall be given in writing by certified mail to the owner or his legal representatives, agent, or lessee. The notice shall state that in the event the building shall be reported as unsafe or dangerous under such survey, that an application will be made at a special term of the Supreme Court in the Judicial District in which the property is located for an Order determining the building or other structure to be a public nuisance and directing that it shall be repaired and secured or taken down and removed.

d) Within 10 days from the preparation and filing of the report of survey, a signed copy of the report of survey shall be mailed to the owner or his legal representative and a duplicate signed copy shall be affixed to the building or the unremoved rubble resulting from the demolition of the building.

e) If the building is reported in the report of survey to be unsafe or dangerous, then all costs and expenses incurred by the Town in connection with the proceedings to remove or secure the building including the cost of actually removing said building shall be assessed against the land on which the building is located and shall thereupon become a lien against the property and be collected in the same manner as taxes levied thereon.

f) If the building is reported in the report of survey as being safe, then the Town shall be responsible for the costs and expenses incurred by the Town in connection with these proceedings, but not for the costs and expenses of the owner, his legal representatives, agent or lessee.

Section 3. This ordinance shall take effect immediately upon publication and posting as required by law.

Hearing held March 7, 1979
Adopted June 20, 1979