



Town of Granby, New York
Local Law No. 1 of the year 1984

A Local Law for Unsafe Buildings for the Town of Granby

SECTION I Purpose

Unsafe buildings pose a threat to life and property in the Town of Granby. Buildings and structures may become unsafe by reason of damage by fire, the elements, age, or general deterioration. Vacant buildings not properly secured at doorways and windows also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients. A dilapidated building may also serve as a place of rodent infestation thereby creating a health menace to the community. It is the purpose of this local law to provide for the safety, health protection and general welfare of persons and property in the Town of Granby by requiring such unsafe buildings to be repaired or demolished and removed.

SECTION II Title

This local law shall be known as "Unsafe Building Law" of the Town of Granby.

SECTION III Definitions

Budding means any building, structure, open excavation or any portion thereof

Building Inspector means the building inspector of the Town of Granby or such person appointed by the Town Board to enforce the provisions of this local law

SECTION IV Investigation and Report

When in his own opinion or upon receipt of information that a building:

- is or may become dangerous or unsafe to the general public
- is open at the doorways and windows making it accessible to and an object of attraction to minors under eighteen years of age, as well as to vagrants and other trespassers.
- is or may become a place of rodent infestation
- presents any other danger to the health, safety, morals and general welfare of the public or
- is unfit for the purpose for which it may be lawfully used,

he shall cause or make an inspection thereof and report in writing to the Town Board, his findings and recommendations in regard to its repair or demolition and removal.

SECTION V Town Board Order

The Town Board shall thereafter consider such report and by resolution determine, if in its opinion the report so warrants, that such building is unsafe and dangerous and order

its repair if the same can be safely repaired or its demolition and removal, and further order that a notice be served upon the persons and in the manner provided herein.

SECTION VI Notice Contents

The notice shall contain the following:

- (1) a description of the premises
- (2) a statement of the particulars in which the building is unsafe or dangerous
- (3) an order outlining the manner in which the building is to be made safe and secure, or demolished and removed
- (4) a statement that the securing or removal of such building shall commence within sixty (60) days of the service of the notice and shall be completed within one hundred twenty (120) days thereafter
- (5) a statement that in the event of neglect or refusal of the person served with the notice to comply with the same, that such property owner shall be liable for all penalties imposed by Local Law No. 1 of 1984 for violation of a local law, including fine and/or imprisonment if found guilty after due process of law, and also aid Town shall be free to pursue to matter in Supreme Court of the State of New York asking for injunctive or other relief and the expenses of the proceeding to secure or remove the building, including the actual cost of securing or removing such building, shall be assessed against the land on which it is located.

SECTION VII Service of Notice

The said notice shall be served

- (1) by personal service of a copy thereof upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as shown by the records of the receiver of the county clerk; or if no such person can be reasonably found by mailing such owner by certified mail a copy of such notice directed to his last known address as shown by the above records and
- (2) by personal service of a copy of such notice upon any adult person residing in or occupying said premises if such person can be reasonably found and
- (3) by securely affixing a copy of such notice upon the unsafe building.

SECTION VIII Refusal to Comply: Survey

In the event of the refusal or neglect of the person so notified to comply with said order of the Town Board, the Town Board shall appoint the building inspector and a professional building engineer or architect, and or two (2) building contractors and the person so notified shall appoint a professional building, engineer or architect or two (2) building contractors to make a survey of the unsafe building and submit a written report thereon.

If the person so notified shall refuse or neglect to appoint such a surveyor within forty (40) days after service and said notice, the two surveyors by the Town Board shall procure and make the report. A signed copy of such report shall be affixed to such

building and by mailing a copy thereof by certified mail directed to said owner at his last known address.

SECTION IX Assessment of Expenses

All expenses including fees of Surveyor incurred by the Town in connection with the proceedings to repair and secure or demolish and remove the unsafe building, including the cost of actually removing such building, shall be assessed against the land on which such building is located and shall be levied and collected in the same manner as provided in Article Fifteen of the Town Law for the levy and collection of a special ad valorem levy.

SECTION X Emergency cases

When it reasonably appears that there is present and imminent danger to the life, safety or health of any person or property, unless ad unsafe building is immediately repaired and secured or demolished, the Town Board may by resolution authorize the building inspector to immediately cause the repair or demolition of such unsafe building. The expense of such repair or demolition shall be a charge against the land on which it is located and shall be assessed, levied and collected as provided in Section 9 hereof.

SECTION XI

The surveyor appointed herein shall be paid reasonable compensation as shall be fixed by the Town Board.

SECTION XII

This local law shall take effect immediately upon filing thereof in the Office of the Secretary of State.