

UNSAFE BUILDINGS AND COLLAPSED STRUCTURES ORDINANCE

Town of Bristol, Ontario County, New York

SECTION I. Short Title.

This Ordinance shall be known as "The Unsafe Buildings and Collapsed Structures Ordinance of the Town of Bristol."

SECTION II. Inspection.

When, in the opinion of the Building Inspector, any structure located in the Town shall be deemed to be unsafe or dangerous to the public, he shall make a formal inspection thereof.

SECTION III. Order to Abate.

If the Building Inspector shall find that any building or structure, or portion thereof, is unsafe or dangerous to the public, he shall order its removal or repair if the same can be safely repaired by serving a notice to abate upon the owner or one of the owner's executors, legal representatives, agents, lessees or other person having a vested or contingent interest in the structure.

SECTION IV. Notice to Abate - Contents.

The notice mentioned in Section III shall contain the following:

- A. The location of the structure;
- B. A description of the premises;
- C. A statement setting forth the particulars in which the structure is unsafe or dangerous;
- D. An order that the structure be made safe and secure or removed;
- E. That the securing or removal of the structure shall commence within fifteen (15) days of the mailing or service of notice and be completed within thirty (30) days thereafter;
- F. That, in the event of neglect or refusal by the owner or other party interested in the structure to secure or remove the structure, a hearing will be held before the Town Board at a time and place designated in the notice;
- G. Should the Town Board find that said structure is

unsafe, the Town Board may order the removal or securing of said structure;

- H. That the land on which the structure is located will be assessed for all costs and expenses incurred by the Town in connection with any proceeding to remove or secure the structure, including the cost of actually removing said building or structure, or that the expenses incurred will be recovered in a Civil Action against the owner pursuant to New York Municipal Law 78-b.

SECTION V. Notice to Abate - Service.

The notice mentioned in Section III shall be served in the following manner:

- A. By personal service to the owner or some one of the owner's executors, legal representatives, agents, lessees or other persons having a vested or contingent interest in the structure; or
- B. By registered mail, addressed to the last known address of any of the people specified in Subsection A above, as shown by the records of the receiver of taxes or by the records in the Office of the County Clerk. If such service be made by registered mail, a copy of such notice shall be posted on the premises.

SECTION VI. Filing of Notice With the County Clerk.

A copy of the notice to abate shall be filed in the Office of the Ontario County Clerk by the Town Clerk of the Town of Bristol.

SECTION VII. Refusal to Comply.

In the event of the refusal or neglect of the person so notified to comply with said Order of the Town Board and after the hearing, the Town Board shall provide for the demolition and removal of such building or structure either by Town employees or by contract. Any contract for demolition and removal of a building in excess of Five Thousand Dollars (\$5,000.00) shall be awarded through competitive bidding.

SECTION VIII. Costs and Expenses.

All costs and expenses incurred by the Town in connection with any proceedings to remove or secure, including the cost of actually removing said structure, shall be assessed and levied against the land on which the structure stands in the next tax levy on property in the Town or, in the alternative, in the discretion of the Town Board, be

recovered in a Civil Action against the owner of the property.

SECTION IX. Separability.

Should any section or provision of this Ordinance be held invalid in any court, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the specific section or provision so held to be invalid.

SECTION X. Effective Date.

This Ordinance shall take effect immediately upon its passage, publication and posting of notice of adoption thereof, as prescribed by law.

Adopted 12/14/81.