

Ave. Local Law Filing

Albany, New York 12231-0001

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate a new matter.

Town of Wayland

Local Law No. 2 of the year 2016

A local law providing for penalties for failure to repair or remove unsafe buildings and collapsed structures

Be it enacted by the Town Board of the Town of Wayland as follows:

Section 1. Purposes

The purpose of this Local Law is to provide for an alternative means of enforcement in the event of the failure to repair or remove unsafe buildings and structures in the Town of Wayland.

Section 2.

This Local Law shall be in addition to and not in substitution of Local Law No. 2 of the year 1995.

Section 3. Definition

- a. Building means any structure or portion thereof irrespective of its use or former use;
- b. Person means any individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or nature;
- c. Code Enforcement Officer means the Code Enforcement Officer of the Town of Wayland or other such other person appointed by the Town Board to enforce the provisions of this Local Law.

Section 4. No person shall own or maintain a building in the Town of Wayland if

- a. It is or may become dangerous or unsafe to the public;
- b. Has open doorways and windows making it accessible to and an object of attraction to minors, vagrants, other trespassers, and animals;
- c. It is or may become rodent infested;
- d. It presents any nuisance or other danger to the health, safety, morals and general welfare of the public;
- e. Is unfit for the purposes for which it may lawfully be used;
- f. It violates any provisions of New York State law concerning unsafe buildings.

Section 5. Penalties

Any person who violates any provisions of this Local Law or any provisions of the New York State Uniform Fire Prevention and Building Code shall be guilty of a violation and subject to a fine of not less than \$50.00 nor more than \$500.00 for a first violation and subject to a fine of not less of \$500.00 nor more than \$1,000.00 or up to 15 days in jail or both for any subsequent violation committed within a five (5) year period.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2016 of the Town of Wayland was duly passed by the Town Board on September 12, 2016, in accordance with the applicable provisions of law.

2. ~~(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____
(Name of Legislative body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. ~~(Final adoption by referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by _____
(Name of Legislative body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. ~~(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by _____
(Name of Legislative body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. ~~(County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Clerk of the county legislative body, City, Town or Village Clerk or officer
designated by local legislative body

(Seal)

Date: _____, 2016

