

## Chapter 54

### BUILDINGS, UNSAFE

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**[HISTORY: Adopted by the Town Board of the Town of Hartland 3-8-1979 by L.L. No. 2-1979. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Fire prevention and building construction — See Ch. 78.

**§ 54-1. Purpose.**

The purpose of this chapter is to protect the health, safety and general welfare of the public by requiring the removal or repair of buildings that become dangerous or unsafe.

**§ 54-2. Definitions. [Amended 1-22-1981 by L.L. No. 1-1981]**

For the purpose of this chapter, the following words shall have the meanings set forth:

BOARD — Town of Hartland Town Board.

BUILDING — A structure in a business, industrial or use district, as the same are established by the Hartland Zoning Ordinance,<sup>1</sup> as the same may be amended from time to time.

BUILDING INSPECTOR — To include the Zoning Enforcement Officer.

**§ 54-3. Inspection and report.**

Upon receiving a written or oral report that a building is dangerous or unsafe, or upon its own motion, the Town Board shall cause the Building Inspector to inspect the allegedly dangerous or unsafe building and make a written report on the physical condition of the same to the Town Board.

**§ 54-4. Notice to remove or repair.**

Upon receipt of the Building Inspector's report that the building is dangerous or unsafe, the Board shall cause notice of the same, including a statement of the particulars in which the building is dangerous or unsafe, to be served upon the owner or such other person described in Town Law § 130 Subdivision 16b, directing the owner to commence either removal or repair of the building within 10 days and to complete the same within 45 days of receipt of the notice.

**§ 54-5. Service of notice; form. [Amended 1-22-1981 by L.L. No. 1-1981; 11-10-1983 by L.L. No. 7-1983]**

The notices referred to in the preceding section shall be served in the manner provided in Town Law § 130 Subdivision 16b and shall be in the form hereafter prescribed by the Town Board by resolution.<sup>2</sup>

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1. Editor's Note: See Ch. 144. Zoning.

2. Editor's Note: The form is on file in the office of the Town Clerk and may be examined there during regular business hours.

**§ 54-6. Filing of notice. [Amended 1-22-1981 by L.L. No. 1-1981]**

A copy of the notice sent will be filed in the office of the Niagara County Clerk.

**§ 54-7. Time limits for action. [Amended 1-22-1981 by L.L. No. 1-1981]**

The owners or such other persons described in Town Law § 130 Subdivision 16b shall be given at least 45 days in which to make the building safe and secure or remove the same. Said person shall be given at least 60 days' notice before he or she shall be ordered to appear before the Town Board for the determination that the building has been rendered safe or an order adopted providing for its removal.<sup>3</sup>

**§ 54-8. Assessment of costs and expenses.**

Costs and expenses incurred by the Town of Hartland in connection with the proceedings to remove or secure, including the cost of actually removing the building, shall be assessed and collected against the land on which the building was located.

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3. Editor's Note: Original Section 8, which immediately followed this section and provided for the town to take action to repair and secure or take down and remove a building, was repealed 1-22-1981 by L.L. No. 1-1981. Said local law also redesignated Original Sections 9 and 10 as Sections 8 and 9.

