

INTRODUCTORY LOCAL LAW NO. 2, 2024

A local law requiring property owners to abate health hazards and public nuisances within the Village of Dolgeville.

§1. Prohibited accumulations.

No brush, grass, weeds, trash, garbage, or rubbish which constitute a fire or health hazard or public nuisance to the residents of the Village of Dolgeville or to adjoining properties shall be permitted to grow, accumulate or spread on any real property in the Village of Dolgeville. No ponds, pools, or other bodies of unsanitized standing water which constitute a public nuisance or health hazard shall be created, maintained, or otherwise permitted to exist by any property owner or resident within the Village of Dolgeville.

§2. Notice to abate nuisance; service of notice.

In the event that the Village Board of the Village of Dolgeville determines that there exists such prohibited accumulation which constitute a fire or health hazard or public nuisance, or such pond or pool of standing water which constitutes a public nuisance or health hazard as described in §1, the Village Board shall direct the Codes Enforcement Officer to give written notice to the owner of such real property to spray, cut, trim, remove, dispose of or fill the same as may be necessary to remove such hazard or nuisance. Such notice shall be given in writing by certified mail, return receipt requested, to the owner of such property and to the owner's last known address as appears on the latest assessment roll of the Village of Dolgeville. In the event that the lot, tract or parcel of land is unoccupied and the address of the owner is unknown, service of the notice shall be made upon the owner by posting the same on such lot, tract or parcel of land. Such notice shall direct that such hazard or nuisance, within 10 days of the mailing of such notice, shall be removed.

§3. Abatement by Village; lien.

If, within said 10 days, the owner or occupant should fail, refuse or neglect to abate the hazard or nuisance, the Village of Dolgeville may undertake to abate the same through the use of its own personal facilities or equipment, or the Village of Dolgeville may contract with an independent contractor or contractors to do the work and cause the hazard or nuisance to be abated. In either event, the costs incurred by the Village of Dolgeville to accomplish the abatement of the hazard or nuisance shall be assessed against and be a lien upon the lot, tract or parcel of land where the hazard or nuisance existed, and shall be collected by the tax collector or Village Clerk provided by law for the collection of delinquent taxes.

§4. Penalties for offenses.

Any person committing an offense against any provisions of this chapter shall be guilty of a violation punishable by a fine not to exceed \$250 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

§5. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

§6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.