

Property Maintenance Ordinance

Property Maintenance Ordinance of the Village of Union Hill

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE

VILLAGE OF UNION HILL THAT:

SECTION I: The purpose of this ordinance is to set a minimum standard for the maintenance of the grounds of residential property in order to protect health, safety, property values, and to prevent nuisance conditions.

SECTION II: All grounds or parts thereof shall be maintained to prevent unsafe, unsanitary and/or nuisance conditions. The grounds of any property shall be kept in good repair and free of unsafe or unsanitary conditions.

Such conditions may include but are not limited to:

Refuse, household trash, junk, discarded plumbing, heating supplies, old or scrap copper, brass, rope, rags, batteries, paper trash, rubber, waste and all scrap iron, steel, other scrap ferrous or nonferrous material, debris, scrap lumber, inoperable machinery or part thereof, glass, unused and inoperable appliances, and worn and unused furniture.

Materials intended for the private use of the property owner may be stored on the property as long as such material is screened from the public way and from abutting properties and is not in violation with state laws. Private use does not include resale.

SECTION III:

Owners of properties in violation of this ordinance shall be liable for violations and for corrective actions required.

SECTION IV: The Village of Union Hill, or any elected Village Official, shall notify the violator, serving a written notice by certified mail or by hand delivery. Said notice shall explain the nature of the violation and require corrective action within 30 calendar days from the date of the receipt of the notice to correct the violation. The violator may appeal the decision to the Union Hill Village Board.

Request to appeal must be submitted, in writing, to a member of the Union Hill Village Board within three working days of notification of a violation. The appeal will be discussed and voted upon at the next scheduled Union Hill Village Board meeting. The violator shall receive, in writing, the decision of The Board regarding the appeal and the time allotment to remedy the violation. The time allotment shall begin upon the violator's receipt of The Board's written decision. If a violation is not corrected within the time allowed, the Village shall pursue all remedies, including pursuit of a judge's order to abate the property and remove the material in violation at the property owner's expense provided. In addition the Village shall pursue relief available by law and/or in equity for land use ordinances, including a penalty of \$100 to \$2,500 per day for a specific violation, injunctive relief and reasonable attorney fees, expert witness fees and costs. The Town shall retain all penalties set forth in this ordinance.

The Village of Union Hill may offer one special extension per person/per incident of up to 180 days to violators of this ordinance under certain hardship or extenuating circumstances. If a violation is discovered during winter months (November 1 to April 1) and if winter weather prevents the correction of a violation, an extension may be given. Cases of disability or financial hardship shall also be grounds for the consideration of an extension. These extensions for seasonal, disability, or financial hardship shall be at the discretion of the Union Hill Village Board.

SECTION V: If any section, subsection, clause, paragraph, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION VI: Whenever a provision of this ordinance conflicts with or is inconsistent with another provision of this ordinance or any other ordinance, regulation or statute, the provision imposing the greater restriction shall control.