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AN ORDINANCE AMENDING THE MOUNT VERNON  
CITY CODE; "ARTICLE IX – THE DEPARTMENT OF  
PUBLIC WORKS; § 105-B – ABATEMENT OF NUISANCE"

WHEREAS, by letter dated July 31, 2023, the Commissioner of the Department of Public Works has requested legislation to amend "Article IX – the Department of Public Works; §105-B – Abatement of Nuisance"; and

WHEREAS, the City Council sees it fit that the appropriate section that should be amended is §105-B; and

WHEREAS, "Article IX – the Department of Public Works; §105-B, of the Code of the City of Mount Vernon, entitled Abatement of Nuisance" is now therefore amended as follows:

NOW THEREFORE,

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

§ 105-B - Abatement of nuisance.

"The Commissioner of Public Works shall have the power to enter upon property, both public and private, and to remove accumulations of rubbish and deleterious matter therefrom, to fill in depressions where water is likely to gather and stagnate, and to abate any other conditions creating or tending to create a condition detrimental to the health, safety and general welfare of the immediate neighborhood or the public at large. Where the owner of property upon which any accumulations of rubbish and deleterious matter or depression or condition detrimental to health, safety and general welfare exists shall fail to abate, remove or fill in the same within five days after written notice so to do has been served upon him either personally or by delivering the same at his last known place of residence, or if he be a nonresident, by mailing the same to him at his last known place of residence, or if the name of the owner or his place of residence cannot be ascertained after due diligence, by posting the same in a conspicuous place upon the premises, the Commissioner of Public Works shall impose a fine/penalty of no less than \$500.00 and not more than \$3,000.00 for each violation and/or have said rubbish and deleterious matter removed and depressions filled in and conditions abated, either by the Department of Public Works or by hiring a private contractor, subject, however, to the laws pertaining to public bidding. In the event that the Department of Public Works is so employed, it shall, upon completion of the work of such removal, filling in or abatement, send to the owner of the property upon which said work has been done whose name appears on the last assessment roll, a bill for the value of the work done and the expense incurred. In the event that the Commissioner of Public Works hires a private contractor to do such work, a bill for the actual amount charged by the said private contractor for the work shall be sent to such owner. Such bill shall be presented to the owner personally, or by certified mail, return receipt requested, or by leaving the same at his residence, or, if the owner be a nonresident, by sending by certified mail the same to him at his last known place of residence or, if the name of such owner or his place of residence cannot be ascertained after due diligence, by posting the same in a conspicuous place on the premises, which bill shall be paid by such owner to the Comptroller and, if he shall fail to pay the same within 10 days thereafter, the Commissioner of Public Works shall certify such expense to the City Council of the City of Mount Vernon, and such amount, if not paid, shall thereupon be chargeable and become a lien upon the lot or premises where such rubbish, deleterious matter, depression or condition existed, and shall be levied, corrected, enforced and collected in the same manner, by the same proceeding and under the same penalties as an assessment for a public improvement. In all cases where the Commissioner of Public Works certifies expenses to the City Council pursuant to the foregoing provision of this section, he shall simultaneously transmit to the Comptroller a duplicate original of such certification and the Comptroller shall upon receipt thereof forthwith docket the amount of such expense in the tax rolls against the real property affected with a notation "Assessment pending pursuant to § 105-b of the City Charter."

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Section 3. This ordinance shall take effect upon its approval by the Board of Estimate & Contract.

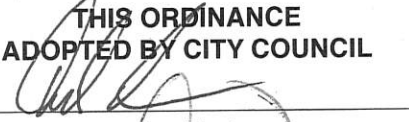
New matter underlined  
Deleted matter in brackets [ ]

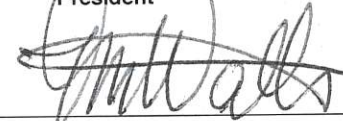
Vote Taken As Follows: 8/9/2023  
Copeland: Yea Gleason: Yea  
Poteat: Yea Thompson: Yea  
Browne: Yea Ordinance Adopted

**APPROVED AS TO FORM**  
  
Assistant Corporation Counsel

  
Councilperson

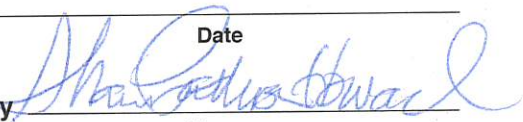
**THIS ORDINANCE  
ADOPTED BY CITY COUNCIL**

  
President

**ATTEST:**   
City Clerk

**APPROVED**  
AUG - 9 2023

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**APPROVED**  
Dept. \_\_\_\_\_

\_\_\_\_\_  
Date  
By   
Mayor