

Local Law Filing

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NEW YORK STATE DEPARTMENT OF STATE

(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 underlining to indicate new matter.

~~County~~

~~City~~

~~Town~~ of Kings Point

Village

Local Law 8 of the year 2026

(Insert Title)

A local law amending Chapter 63, Buildings, Unsafe.

Be it enacted by the Board of Trustees of the *(Name of Legislative Body)*

~~County~~

~~City~~

~~Town~~ of Kings Point

Village

Section 1. Chapter 63, Buildings, Unsafe, of the Village Code, is hereby amended, to read as follows:

“Chapter 63 BUILDINGS UNSAFE

§ 63-1. Definitions.

The following words, for the purposes of tis chapter, shall have the meanings herein indicated:

BOARD – The Village Board of Trustees

BUILDING – A building or other structure

SUPERINTENDENT – The superintendent of the Village Building Department.

UNSAFE BUILDING - Any building or part thereof which, in the opinion of the superintendent, is or threatens to be a public nuisance, a fire menace, or otherwise dangerous to the health, morals, safety, or general welfare of the people of the Village. The foregoing shall include, but not be limited to, any vacant building that is open at a door, window, or other opening or hole in the building through which a person could enter.

§ 63-2. Notice to repair or remove.

If the superintendent determines a building to be an unsafe building the superintendent shall cause a notice to be served on the owner or one of the owner's executors, legal representatives, agents, or other person having a vested or contingent interest in the unsafe building, either personally or by certified mail return receipt requested, addressed to the last known address, if any, of such person as shown by the records of the Village or as otherwise ascertained by the Village, notifying such person of the unsafe condition and directing that the unsafe building be made safe and secure or removed in a manner satisfactory to the superintendent. Said notice shall state a time within which the person served shall commence and complete the securing or removal of the unsafe building. If the person to be notified is not located within the United States, service by a recognized international courier service or a confirmed email shall be deemed sufficient. Additionally, such notice shall be posted in a conspicuous place on the front door, if there is one, or such reasonably conspicuous place as determined by the superintendent.

§ 63-3. Appeal to the Board.

- A. Within 14 days, or, if the owner is believed to be out of the country, within 21 days, of the giving of such notice, the owner, or its representative, may appeal the determination of the superintendent to the Board.
- B. In the event the Board determines to uphold the superintendent's determination, the owner may notify the Village Administer in writing within 7 days of the Board's determination, that the owner plans to appeal the determination of the Board to the New York State Supreme Court, Nassau County, and, if within 30 days from the Board's determination, the owner shall commence said litigation, and diligently pursues the litigation, no action shall be taken by the Village to perform any work on the unsafe building until the litigation is resolved or no longer diligently pursued.
- C. In the event the owner does not appeal to the Board, or, if the Board upholds the superintendent's determination and the owner does not fully comply with subsection B hereof, the Board may:

- (1) take such action as the superintendent deems reasonable to make the unsafe building safe or demolish it, utilizing Village employees and/or third-party contractors; or
- (2) commence an action or proceeding in the New York State Supreme Court, Nassau County, to authorize the superintendent take such action as the superintendent deems reasonable to make the unsafe building safe or demolish it, utilizing Village employees and/or third-party contractors.

§ 63-4. Village's costs and expenses.

- A. The owner shall reimburse the Village for all of the Village's costs and expenses in enforcing the provisions of this chapter, including, but not limited to the use of Village employees, third-party contractors, and the fees, costs, and expenses of engineers, architects, and attorneys.
- B. In the event the Village shall be entitled to any sums from the owner pursuant to the terms of this chapter, if said sums are not paid by the owner to the Village within thirty days of demand, the Village, at its sole option, may either
 - (1) assess such sums as a lien against the property, in whole or in part, which, thereafter, shall be collected by the Village in the same manner as if said sums had been assessed as taxes upon the property; or
 - (2) collect such sums by judicial proceedings in the Supreme Court of the State of New York, Nassau County, or such other court as the Village may deem appropriate, in which case the legal costs and expenses, including, but not limited to, all attorneys, experts, and witnesses' fees, of such proceeding, shall be recoverable by the Village in such proceeding, as additional damages, as awarded by the Court.

§ 63-5. Penalties for offenses.

In addition, the owner or occupant of any such dangerous or unsafe building who shall fail to comply with the order of the superintendent as provided in this chapter shall be guilty of a violation of this chapter, upon conviction thereof, shall be fined not exceeding \$1,000 for each offense and a further sum of \$1,000 for each and every day such failure to comply continues beyond the date fixed for compliance with said order.”

Section 2. Effective Date. This local law shall take effect immediately.