

**VILLAGE OF SOUTH GLENS FALLS
LOCAL LAW NUMBER 1 OF 2024**

**A LOCAL LAW ADDING TO THE VILLAGE OF SOUTH GLENS FALLS CODE
A NEW CHAPTER 54 ENTITLED:
“PROPERTY MAINTENANCE CODE”**

Be it enacted by the Village Board of the Village of South Glens Falls, as follows:

§1. Authority and Applicability.

This local law is adopted pursuant to the authority vested in the Village Board of the Village of South Glens Falls pursuant to Municipal Home Rule §10 of the State of New York. It shall apply to the provisions of the Village of South Glens Falls Code.

§2. Declaration of Policies and Purpose.

The Village Board of the Village of South Glens Falls has reviewed the Code of the Village of South Glens Falls and believes that certain additions to the existing code are reasonable and necessary. The recommended additions shall therefore be enacted and authorized pursuant to the provisions of this local law.

§3. Amendments.

Chapter 54 entitled “Property Maintenance code” shall be added to the Village of South Glens Falls Code.. The new Chapter 54 shall be the following:

§ 54-1 Intent; Adoption of Property Maintenance Code

- A. The Property Maintenance Code of New York State applies to all existing residential and non-residential structures and all existing premises, and constitutes minimum requirements and standards: for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; for the responsibility of owners, operators and occupants; and for the occupancy of existing structures and premises. The Property Maintenance Code is intended to provide minimum requirements to safeguard public safety, health and general welfare insofar as they are affected by the occupancy and maintenance of structures and premises.
- B. The Village Board of the Village of South Glens Falls (herein the “Village”) finds that unkept, unsanitary, and otherwise improperly maintained premises and structures within the Village, in addition to the obvious hazards which these conditions pose to the public health, safety and welfare, adversely affect the value, utility and habitability of property

within the Village as a whole and can specifically cause substantial damage to adjoining and nearby properties. A property which is inadequately maintained may substantially reduce the value of adjoining property. If there are a number of properties that are unkept, unsightly, unsanitary and/or dangerous, the habitability and economic well being of the Village as a whole are materially and adversely affected. This chapter conveys to the Village administration all necessary and proper powers to remedy unkept, unsightly, unsanitary and improperly maintained or substandard structures or premises that may be found to exist within the Village, and, to charge the costs of such action to those responsible and against the properties themselves. This chapter is an exercise of the Village's police power, and it shall be liberally construed to effect this purpose.

- C. In order to protect the health and safety of the residents of the Village of South Glens Falls, and, to promote the general welfare of the community, the Village Board hereby adopts the Property Maintenance Code of the State of New York. Copies of the provisions of the New York State Property Maintenance Code shall be on file with the Village Clerk and shall be made available to members of the general public upon request.

§ 54-2 Conflicts with other regulations.

Where differences occur between provisions of this law and other referenced standards (e.g. the New York State Uniform Fire Prevention and Building Code), the more stringent provisions shall apply. Any repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the New York State Uniform Fire Prevention and Building Code and National Fire Protection Association regulations or other referenced standards. This law shall not affect violations of any other ordinance, code or other regulation existing prior to the effective date, and any such violations shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

§ 54-3 Enforcement; penalties.

- A. The Code Enforcement Officer of the Village or other officer duly authorized by the Village shall issue all necessary notices or orders to insure compliance with this chapter.
- B. The Code Enforcement Officer, upon proper notification and with sufficient cause, is authorized to enter a structure or premises at reasonable times to inspect. Prior to entering into a space not otherwise open to the general public, the Code Enforcement Officer shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the Code Enforcement Officer shall pursue recourse as provided by law.

- C. Whenever the Code Enforcement Officer determines that there has been a violation of this chapter or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible. Such notice shall (a) be in writing; (b) include a description of the property sufficient for identification; (c) include a statement of the reason or reasons why the notice is being issued; and (d) include an order describing the repairs, improvements, or other actions required to bring the structure and/or premises into compliance with the provisions of this chapter. Such notice shall be deemed to be properly served if a copy is either delivered to the owner personally, or, sent by certified mail addressed to the owner at the address of record. If the letter is returned, a copy shall be posted in a conspicuous place in or about the structure or premises affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon a person responsible for the structure or premises shall constitute service of notice upon the owner.
- D. In addition to any fines or penalties prescribed by State law for violations of the NYS Uniform Fire Prevention and Building Code, or for violations of any other provisions of this Code or any term or condition of any building permit, certificate of occupancy, temporary certificate, stop-work order, operating permit or other notice or order issued by the Village Code Enforcement Officer pursuant to any provision of this Code, violations of this chapter shall be punishable by any of the following, or a combination thereof:
- (a) A fine in an amount up to \$1,000.00 per violation;
 - (b) A fine in an amount up to \$1,000.00 for each day or part thereof during which such violation or violations continue;
 - (c) Community service;
 - (d) Imprisonment for a period not exceeding fifteen days;
 - (e) A conditional discharge; and/or
 - (f) An unconditional discharge.
- E. Each day that a violation continues after due notice has been served shall be deemed a separate offense and shall be considered a continuing violation until the violation is corrected, and shall be punishable by any of the above remedies, or combination thereof, for each day that the property, structure or premises remains in violation.
- F. In the event that the owner fails to comply with the order of the Code Enforcement Officer, the Code Enforcement Officer is authorized to engage the services of a contractor to perform whatever actions are necessary to bring the structure or premises into compliance with the provisions of this chapter. Prior to engaging a contractor for said purpose, the Code Enforcement Officer shall provide written notice to the owner advising of the Code Enforcement Officer's intent to engage a contractor for said purpose. The owner shall have a period of ten days from the date of the mailing of said notice to either arrange to perform the required work or actions to bring the structure or premises into compliance, or, to file a letter with the Village Clerk appealing the decision of the Code

Enforcement Officer. The Village Board shall process said appeal by giving notice to the property owner and scheduling a hearing within fourteen (14) days in order to make a determination whether to either uphold the decision of the Code Enforcement Officer, or, to vacate or modify the decision of the Code Enforcement Officer with respect to the alleged violation of this chapter.

- G. In the event that the Village incurs costs and expenses in order to bring the structure or premises into compliance with this chapter, the Village shall assess all costs and expenses incurred against such property. Such assessment shall be collected in the same manner as real property taxes are collected as provided by law.
- H. Nothing contained in this chapter shall prevent the Village from seeking judicial or equitable relief to abate violations of this chapter. No remedy or penalty specified in this chapter shall be the exclusive remedy available to address any violation described in this section. Each remedy or penalty specified herein shall be in addition to, and not in substitution or limitation of, any other remedies or penalties specified in this Code or in any other applicable law.