

STATE OF NEW YORK, } ss:
COUNTY OF SARATOGA }

Jean Copperroll, being duly sworn, deposes and

says: that she is the Principal clerk of THE SARATOGIAN,

the official newspaper; that the foregoing notice

was published in said newspaper on July 3, 1978 date

and Jean Copperroll date

Subscribed and sworn to before me

this 6th day of July, 1978

Louise Adlew Kilbua Esq 7/21/78
Commissioner of Deeds, Saratoga Springs, N. Y. 12866

LEGAL ADVERTISING

NOTICE OF PUBLIC HEARING
VILLAGE OF VICTORY
VICTORY MILLS, N.Y.

Notice is hereby given that a public hearing will be held on July 12, 1978 at 7:30 p.m. in the Community Center, Pine St. in relation to the prohibiting of unsafe buildings within the village limits. A copy will be on file in the village office.

Muriel Salls, Clerk

7/3-11

(Please Use this Form for Filing your 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 of Saratoga

~~City~~ of Victory, New York

~~Town~~
Village

Local Law No. 3 of the year 19 78

A local law relating to the removal or repair of unsafe buildings and structures.
(Insert title)

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

County of Saratoga

~~City~~ of Victory, New York as follows:

~~Town~~
Village

Section 1. Purpose of Local Law. The purpose of this local law is to promote and preserve the health, welfare and property of residents of and owners of property located within the Village of Victory Mills, by providing a method for the removal or repair of buildings, fire hazards or health hazards within the limits of said Village that, from any cause, may now be or shall hereafter become dangerous or unsafe to the public, or a hazard to life or property.

Section 2. Dangerous or unsafe buildings or structures not permitted. All buildings or structures which are structurally unsafe, unsanitary, or not provided with adequate egress, or which constitute a fire hazard or have become otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or have become dangerous to life, safety, morals, or the general health and welfare of the occupants, neighboring property or the people of the Village of Victory Mills, are, severally, for the purpose of this section, dangerous or unsafe buildings. All such unsafe buildings are hereby declared to be illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the procedure set forth in this local law.

Section 3. Building inspector. The Board of Trustees of the Village of Victory Mills shall appoint a building inspector who will be charged with the responsibility of carrying out the obligations and duties set forth in this local law.

Section 4. Notice of dangerous or unsafe building or structure. Whenever, in the opinion of the building inspector, after an inspection thereof, any building or structure, or part thereof, in the Village of Victory Mills, is, for want of repair or by reason of age or dilapidated condition or for any other cause, dangerous or structurally unsafe, or especially liable to fire and thereby could endanger life or property, he shall notify in writing the owner, agent or person in possession, charge or control of such building or structure, or part thereof, to put the same in a safe condition or take down the same or any part thereof within such reasonable time as may be determined by the building inspec-

tor to be necessary to do or have done the work or act required by the notice provided for herein. Such notice shall contain a description of the premises, a statement of the particulars in which the building or structure is unsafe or dangerous and an order requiring same to be made safe and secure or removed, within such length of time, not exceeding thirty (30) days, as is reasonable. A copy of such notice shall be given by the building inspector to all tenants occupying the building. Whenever the building inspector shall be unable to find the owner of such building, structure or part thereof, or any agent or person in possession, charge or control thereof, upon whom such notice may be served, he shall address, stamp and mail a copy of such notice to such person at his last known address, and in addition, thereto, shall place, or cause to be placed, a copy of the notice herein provided for upon such building or structure at or near its principal entrance, and shall also post, or cause to be posted, in a conspicuous place at each entrance to such building or structure in large letters a notice as follows:

NOTICE: THIS BUILDING IS IN A DANGEROUS CONDITION
AND HAS BEEN CONDEMNED BY THE BOARD OF TRUSTEES OF
THE VILLAGE OF VICTORY MILLS.

Such notice shall remain posted until the required changes have been made. It shall be unlawful for any person to remove, deface or destroy such order or notices without permission of the building inspector.

Section 5. Disregard of notice; survey. In the event of neglect or refusal of the person served with said notice to fully comply with same, a notice shall be served upon such person in the manner prescribed by Section 4 of this local law notifying such person that a survey of the premises will be made at the time and place specified in such notice by an official of the Village of Victory Mills, and a practical builder, engineer or architect, to be named by the Board of Trustees and designated in said notice, and a builder appointed by the said owner, and in the event of refusal or neglect of said person so notified to appoint such surveyor and to cause his attendance at the designated time and place, the two (2) surveyors named shall make the survey and report. The notice shall state that in the event the building or other structure shall be reported unsafe or dangerous under such survey, that an application will be made at a Special Term of the Supreme Court in the judicial district in which the property is located not less than five (5) nor more than ten (10) days thereafter for an Order determining the building or structure or any part thereof to be a public nuisance and directing that it shall be repaired and secured or taken down and removed.

Section 6. Posting copy of report of survey. A signed copy of the report of survey shall be posted on the building which has been surveyed by the Village Clerk.

Section 7. Assessment of costs and expenses. All costs and expenses incurred by the Village in connection with removing, demolishing, repairing or vacating of any dangerous building or structure as determined pursuant to this local law, including the cost of actually removing said building or structure, surveyor's fees, attorney's fees, advertising costs, title searches, and all other expenses, shall, when properly certified by the Board of Trustees, be audited and paid by the Village the same as any other claim against the Village. A bill for such expenses shall be presented to the owner or persons notified pursuant to Section 4 of this local law and in the same manner as provided in Section 4 of this local law, or if said bill cannot be served in that manner, then by posting same in a conspicuous place on the premises. If such owner shall fail to pay the same within ten (10) days thereafter, the Board of Trustees shall file a certificate of the actual expenses incurred as aforesaid with a statement as to the property in connection with which such expenses were incurred with the assessors of the Village, who shall in the preparation of the next assessment roll of the General Village Taxes, assess such amount upon such property and against such building or structure and the lot of land upon which said building or structure is situate, and said bill shall be levied, collected and en-

under the same penalties, and having the same lien upon the property assessed as the General Village Tax and as a part thereof.

Section 8. Emergency provisions. In cases of great emergency, where the delay of proceeding as hereinbefore provided would result in probable loss of life or property, the Board of Trustees of the Village of Victory Mills may direct the building inspector to proceed at once to take such action as is needed to guard the safety of persons and property. In such cases, the building inspector shall have full power and authority to provide all necessary means therefor and all expense therefor shall be paid and collected as hereinabove provided.

Section 9. Penalty. Any person upon whom a notice as provided in this law has been served, fails, neglects or refuses to place such building or structure, or part thereof, in a safe condition as designated in such notice, or who shall violate any of the provisions of this law or orders given pursuant thereto, or who shall resist or obstruct the building inspector or his employees in carrying out the provisions of this law, shall be guilty of a misdemeanor and shall, upon conviction therefor, be subject to a fine of not less than twenty-five dollars or more than one hundred dollars or to imprisonment for not less than thirty days or more than sixty days, or to both such fine and imprisonment, and each day on which such violation continues shall constitute a separate offense.

Section 10. Local Law. This local law shall take effect subject to the provisions of section twenty-seven of the Municipal Home Rule Law, after filing same in the Office of the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1978.

County of Saratoga

of the ~~City~~ ~~Town~~ of Victory, N.Y. was duly passed by the Board of Trustees
~~Village~~ (Name of Legislative Body)

on 19..... in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
of the ~~City~~ ~~Town~~ of was duly passed by the
~~Village~~ (Name of Legislative Body)

on 19..... not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer *

and was deemed duly adopted on 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
of the ~~City~~ ~~Town~~ of was duly passed by the
~~Village~~ (Name of Legislative Body)

on 19..... not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer *

on 19..... Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....

County
of the ~~City~~ ~~Town~~ of was duly passed by the ON
~~Village~~ (Name of Legislative Body)

..... 19..... not disapproved
and was approved by the ON
repassed after disapproval Elective Chief Executive Officer *

..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19 _____ of the City of _____, having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ^{special} ~~general~~ election held on _____ 19 _____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. _____ of 19 _____ of the County of _____, State of New York, having been submitted to the Electors at the General Election of November _____, 19 _____, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ 1 _____ above.

Michael M. Bacon
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body
VILLAGE CLERK

Date: *July 12, 1978*



(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF SARATOGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Lawrence R. Hamilton
Lawrence R. Hamilton
VILLAGE ATTORNEY

Title
County of Saratoga
~~City~~ of Victory, New York
~~Town~~
Village

Date: *7/12/78*