LEGAL NOTICE

LEGAL NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Morehouse Town Board at the Morehouse Rec Center, 412 Rec Center Drive, Hoffmeister, New York on June 10, 2025, at 7:00 PM, concerning proposed Local Law 1 of 2025, entitled "A LOCAL LAW KNOWN AS THE TOWN OF MOREHOUSE UNSAFE BUILDING LAW". The complete text of proposed Local Law 1 of 2025 is on file in the Morehouse Town Clerk's Office and is also available on the Town of Morehouse website www.morehousenewyork.com.

At such time and place all persons interested in the subject matter thereof will be heard concerning same.

DATED: May 14, 2025

Morehouse Town Board

Anthony Fernandez, Town Supervisor

TOWN OF MOREHOUSE, NEW YORK

LOCAL LAW # 1 OF 2025

A LOCAL LAW KNOWN AS THE TOWN OF MOREHOUSE UNSAFE BUILDING LAW.

Pursuant to Section 130, subsection 16 of the Town Law of the State of New York, the Board of the Town of Morehouse, Hamilton County, New York, does hereby ordain and enact as follows:

SECTION I - TITLE OF LAW

This law shall be known as the "The Town of Morehouse Unsafe Building Law."

SECTION II - PURPOSE OF THIS LAW

The purpose of this law is to protect the public health, safety and welfare of the people of the Town of Morehouse by requiring unsafe and collapsed structures to be repaired or removed. This law is hereby declared to be remedial and essential to the public interest and it is intended that this law be liberally construed to effectuate the purpose as stated herein.

SECTION III - DEFINITION

The term "unsafe building" as used herein is hereby defined to mean and include:

a. Any building, shed, fence or any other manmade structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease, or injury to the health of the occupants of it, or neighboring structures;

b. Any building, shed, fence or other manmade structure which because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard;

c. Any building, shed, fence or other manmade structure which by reason of faulty construction, or any other cause is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;

d. Any building, shed, fence or other manmade structure which because of its condition or because of the lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

SECTION IV - PROHIBITION

It shall be unlawful to maintain or permit the existence of an unsafe building within the Town of Morehouse and it shall be unlawful for the owner, occupant or person in custody of any unsafe building to permit the same to remain in an unsafe condition or to occupy such unsafe building or permit it to be occupied while it is or remains in an unsafe and dangerous condition.

SECTION V - ABATEMENT

Whenever the Zoning Enforcement Officer or any other officer duly appointed by the Town Board, after inspection of any building, shall be of the opinion that said building is an unsafe building, he shall file a written report with this Board containing a description of the premises and a statement of the particulars in which the building or structure is unsafe or dangerous.

SECTION VI - PROCEDURE

The Town Board upon receiving such report shall by a resolution, direct that written notice be served on the owner or someone of the owner's executor's, legal representatives, agents, lessees or any other person having a vested or contingent interest in said unsafe building, in the manner provided for in Section 130, subsection 16 (b) of the Town Law of the State of New York.

The notice to be served 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 the premises to be made safe and secure or the unsafe building removed.

The notice shall also contain a time within which the person served with such notice shall commence the securing or removing of the buildings or structures.

The notice shall also contain a notice for a hearing before this Town Board setting forth the time and place thereof.

The notice shall also contain a statement that in the event such owner fails or refuses to repair or remove the said unsafe building or structure, within the time period provided, the town shall do so and all of the costs and expenses incurred by the town in connection with the proceeding to remove or secure including the cost of actually removing said building or structure will be assessed against the land which said building or structure are located.

The notice shall also be filed in the Hamilton County Clerk's Office in the manner provided for in Section 130, subsection 16 (d) of the Town Law of the State of New York.

The form of the notice shall substantially conform to Schedule (A) attached hereto and made part hereof.

SECTION VII - ENFORCEMENT

The Zoning Officer of the Town of Morehouse or some other officer of the town, designated by the Town Board, shall enforce all the provisions of this law. Such officers shall have the right to enter upon and inspect any alleged unsafe building for the purpose of performing his duties under this law.

SECTION VIII – SEVERABILITY

If any Section or provision of this law shall be held invalid for any reason whatsoever, such invalidity shall not affect the remaining portions of this law which shall remain in full force and effect.

SECTION IX – EFFECTIVE DATE

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

SCHEDULE A

NOTICE TO OWNER OF UNSAFE OR DANGEROUS BUILDING

To:_____ owner of a building located on _____, Town of Morehouse, Hamilton County, New York:

Please Take Notice, that the Town board of the Town of Morehouse, County of Hamilton, has determined that the building alleged to be owned by you is in an unsafe and dangerous condition to the public and you are hereby directed to repair or remove the same as hereinafter provided:

Please Take Further Notice,

1. That the building found to be unsafe and dangerous is located on _____, in the Town of Morehouse, Hamilton County, New York and is comprised of a _____.

2. The particulars in wish the building or structure is unsafe and dangerous are: _____ _____.

3. Pursuant to the Town of Morehouse Unsafe Building Law and a resolution duly adopted on the _____ day of _____, 20___, you are hereby ordered and directed to either remove the building or put the same in a good state of repair. You are ordered to commence such removal or repair within thirty (30) days after the receipt of this notice and you thereafter shall diligently continue with such removal or repair to the end that the same be completed within sixty (60) days after receipt of such notice.

4. You are entitled to a hearing before this Town Board. The hearing has been scheduled for the ____ day of _____, 20___, to beheld at ___o'clock in the afternoon at the Town Hall on route 8, in the Town of Morehouse, New York.

Attention: Your failure to appear personally or by counsel for the hearing shall constitute a waiver of the hearing. You should be prepared to present all evidence and witnesses on your behalf at the hearing.

5. In the event of your neglect or refusal to comply with the foregoing within the time period provided, the Town of Morehouse may proceed to remove such unsafe building or structure.

6. The Town of Morehouse shall assess all costs and expenses incurred by the Town in connection with the proceeding to remove or secure said unsafe building including the cost of actually removing said building or structure against the land which said building or structure are located.

As to all of which you are given notice this _____ day of _____, 20____.

TOWN OF MOREHOUSE

By:_____

Town Clerk – Town of Morehouse

Hamilton County, New York

Introduced: May 13, 2025

Public Hearing: June 10, 2025

Adopted: