

Chapter 5

AGENT FOR SERVICE OF PROCESS

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[HISTORY: Adopted by the Board of Trustees of the Village of Liberty 6-21-1995 as L.L. No. 8-1995.¹ Amendments noted where applicable.]

§ 5-1. Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

ACTION or PROCEEDING — Any action or proceeding which may be instituted in the Justice Court of the Village of Liberty in connection with an alleged violation of any of the ordinances of the Village of Liberty.

BUILDING — Any improved real property located within the Village of Liberty which, in whole or in part, is nonowner occupied.

OWNER — Any individual or individuals, partnership or corporation, whether for profit or otherwise, in whose name title to a building stands.

¹ Editor's Note: This local law also superseded Ch. 5, Absentee Landlords, adopted 12-16-1974 as L.L. No. 5-1974.

PROCESS — A summons of any notice, mandate or other paper or process issued under any provision of the Code of the Village of Liberty.

VILLAGE CLERK — Either the Village Clerk or Code Enforcement Officer of the Village of Liberty.

§ 5-2. Designation of agent; mailing of process.

- A. Every owner of property located within the Village of Liberty shall file:
- (1) A statement of designation, signed and verified in the office of the Village Clerk, setting forth the name and address, by street and number within the Village of Liberty, of an agent upon whom process may be served in any action or proceeding which may be commenced or instituted against said owner.
 - (2) A designation, signed and verified, of the Village Clerk, as the agent upon whom process against the owner may be served, and the post office address, within or without the Village of Liberty, to which the Village Clerk may mail a copy of any process against such owner served upon the Village Clerk.
- B. Whenever process is served upon the Village Clerk, he shall promptly mail, by certified mail, addressed to the agent named in said designation at the address therein set forth, a true copy of said process.

§ 5-3. Certificate of ownership.

Attached to such statement and designation shall be a certificate properly certified by the owner that he is the owner of the premises with respect to which statement or designation is filed.

§ 5-4. Posting of notice.

- A. Every owner of a building located within the Village of Liberty shall post, and keep posted in a conspicuous place in a main public area in said building, a notice, at least six by eight (6 x 8) inches in size, setting forth:
 - (1) The name, address and telephone number of the person, firm or corporation responsible for the management of the building.
 - (2) The name, address, apartment number and telephone number of the resident superintendent of the building.
- B. Exception. in the event that a building is:
 - (1) A one-family house, such notices need not be posted.
 - (2) A two- or three-family house and the owner of the building resides in the building, such notice need not be posted, but the owner shall furnish each tenant with the information required in Subsection A(2) above.

§ 5-5. Penalties for offenses.

Any person, firm or corporation who violates, disobeys, neglects or refuses to comply with any of the terms of this chapter shall be guilty of a violation and be subject to a fine of not more than five hundred dollars (\$500.). Each week that a violation continues shall be deemed a separate offense.

§ 5-6. When effective.

The effective date of this chapter shall be upon the filing with the Secretary of State.