

Chapter 59A

PROPERTY MAINTENANCE

§ 59A-1. Title.

§ 59A-2. Purpose.

§ 59A-3. Conflicting provisions; residential premises.

§ 59A-4. General standards.

§ 59A-5. Store closing.

§ 59A-6. Emergencies; penalties for offenses.

§ 59A-7. Amendments.

[HISTORY: Adopted by the Board of Trustees of the Village of Liberty 6-16-1994 as L.L. No. 5-1994. Amendments noted where applicable.]

GENERAL REFERENCES

**Brush, grass and weeds — See Ch. 13.
Building Code — See Ch. 14.
Housing standards — See Ch. 48.
Littering — See Ch. 54.
Streets and sidewalks — See Ch. 74.
Unsafe buildings — See Ch. 77.**

§ 59A-1. Title.

This chapter shall be known and may be cited as the “Property Maintenance Law of the Village of Liberty, Sullivan County, New York.”

§ 59A-2. Purpose.

In order to prevent blight and the spread thereof it is hereby declared all property in the Village of Liberty (the “village”)

improved or unimproved, including but not limited to residences, office buildings, shopping centers, supermarkets, retail stores, discount houses, warehouses, manufacturing or fabrication plants, factories, gasoline service stations, public garages, motor vehicle repair shops or other business uses, whether occupied or vacant, and accessory structures located in the Village of Liberty shall be maintained in conformity with the standards set out in this chapter so as to assure that these structures and properties will not adversely affect the neighborhood and the community at large. Certain structures and properties have the further effect of creating blighting conditions and initiating slums, and if the same are not curtailed and removed, the aforesaid conditions will grow and spread and will necessitate in time the expenditure of large amounts of public funds to correct and eliminate the same. By reason of timely regulations and restrictions as herein contained, the growth of slums and blight may be prevented and the neighborhood and property values thereby maintained, the desirability and amenities of residential and nonresidential uses and neighborhoods enhanced and the public health, safety and welfare protected and fostered.

§ 59A-3. Conflicting provisions; residential premises.

The Housing Code¹ of the Village of Liberty shall supersede any provisions of this chapter which are in conflict herewith. All other provisions of this chapter shall be applicable to residential premises.

§ 59A-4. General standards.

A. Open areas.

- (1) Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent the development of stagnant ponds.

¹ Editor's Note: See Ch. 48, Housing Standards.

- (2) No shopping baskets, carts or wagons shall be left unattended or standing, and such baskets, carts or wagons shall be regularly collected and removed to the interior of the building or buildings from which they were taken by the person responsible for such building or buildings.
 - (3) All fences shall be maintained by the person responsible for the property. Such maintenance shall include but not be limited to the replacement and/or repair of fences which may become in disrepair. Repairs should be made in accordance with existing fences. This repair may include missing or broken sections, heaving, collapsed and/or tilted fences.
 - (4) Public steps, walks, driveways, parking spaces and similarly paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled or necessary repairs or replacement carried out.
 - (5) Yards, court and vacant lots shall be kept clean and free of physical hazards, rodent harborage and infestation. They shall be maintained in a manner that will prevent rubbish from being blown about the neighborhood. Open wells, cesspools or cisterns shall be securely closed or barricaded from access to the public.
- B. Building and structures.
- (1) All exterior exposed surfaces not inherently resistant to deterioration shall be repaired, coated, treated or sealed to protect them from access to the public.
 - (2) Floors, walls, ceilings, stairs, furnishings and fixtures of buildings shall be maintained in a clean, safe and sanitary condition. Every floor, exterior wall, roof and porch or appurtenance thereto shall

be maintained in a manner so as to prevent collapse of the same or injury to the occupants of the building or to the public and shall be in conformity with the current New York State Uniform Fire Prevention and Building Code.

- (3) The foundation walls of every building shall be maintained in good repair and be structurally sound.
- (4) Exterior walls (including doors and windows), roofs and the areas around doors, windows, chimneys and other parts of a building shall be so maintained as to keep water from entering the buildings. Materials which have been damaged or show evidences of dry rot or other deterioration shall be repaired or replaced and refinished in workmanlike manner within a reasonable amount of time. Exterior walls, roofs and other parts of the building shall be free from loose and unsecured objects and material. Such objects or materials shall be removed, repaired or replaced.
- (5) The owner of a vacated building shall take such steps and perform such acts as may be required of him or her from time to time to ensure that the building and its adjoining yards remain safe and secure and do not present a hazard to adjoining property or the public.
- (6) Buildings and structures shall be maintained free of insect, vermin and rodent harborage and infestation. Methods used for exterminating insects, vermin and rodents shall conform to generally accepted practices and be in conformance with all state and federal rules, regulations and ordinances applicable thereto.

§ 59A-5. Store closing.

The following rules and regulations as to store closing shall apply in the Village of Liberty:

- A. The store surrounding area, i.e., garbage or dumpster areas, shall be left broom clean.
- B. Storefront windows must be kept clean and window blinds shall be installed and fully closed. They must cover the entire window completely.
- C. All signs, including all promotional signs and the tape used to hold these signs in place, must be removed from all surfaces.
- D. The store owners/proprietors shall leave their telephone numbers and addresses with the Police and Building Departments of the Village of Liberty so they might be promptly contacted if necessary.
- E. The store owner/proprietor shall make arrangements with the Code Enforcement Office for a store closure inspection within the ten (10) days of closing and receive the approval of the Department.

§ 59A-6. Emergencies; penalties for offenses.

- A. Whenever the head of the code enforcement agency, at any stage of the proceeding instituted under the provisions of this chapter, finds that a violation of this chapter exists which, in his opinion, requires immediate action to abate a direct hazard or immediate danger to the health, safety, morals or welfare of the occupants of a building or of the public, he may, without prior notice or hearing, issue an order citing the violation and directing that such action be taken as is necessary to remove or abate the hazard or danger. Such order may include an order to vacate as provided in § 77-5 of Chapter 77, Unsafe Buildings. Notwithstanding any other provisions of this chapter, such an order shall be effective

immediately upon service and shall be complied with immediately or as otherwise provided.

- B. Whenever any violation of this chapter which, in the opinion of the head of the code enforcement agency, causes a direct hazard or immediate danger to the health, safety, morals or welfare of the occupants of building or the public has not been corrected in the time specified by the order issued under this § 59A-6A, the head of the code enforcement agency may take such direct action as is necessary to abate the hazard or danger. Expenses incurred in the execution of such orders shall be recovered as provided in Chapter 77, Unsafe Buildings. Violations of any of these provisions shall be punishable by a fine of up to two hundred fifty dollars (\$250.) per day for the duration of the violation.

§ 59A-7. Amendments.

This chapter can be amended by a resolution by the Village Board with prior notice.