

## Local Law Filing

(Use this form to file a 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  
City  
Town of ANDES  
Village

STATE OF NEW YORK  
DEPARTMENT OF STATE

**FILED**

OCT 20 2005

MISCELLANEOUS  
& STATE RECORDS

Local Law No. 1 of the year 20 05

A local law *(Insert Title)* **THE AUTHORIZING THE IMPOSITION OF FINES AND FEES  
FOR CODE VIOLATIONS AND FOR THE COLLECTION THEREOF**

Be it enacted by the of the TOWN BOARD of the  
*(Name of Legislative Body)*

County  
City  
Town of ANDES as follows:  
Village

TOWN OF ANDES  
LOCAL LAW # 1 OF 2005

A LOCAL LAW THE AUTHORIZING THE IMPOSITION OF FINES AND FEES FOR CODE VIOLATIONS AND FOR THE COLLECTION THEREOF

BE IT ENACTED BY the Town Board of the Town of Andes, Delaware County, State of New York

### Section 1:

The Town may institute any appropriate action or proceeding to prevent a violation of this law, to restrain, correct, or abate such violation, or to prevent the illegal use of land, building or structures.

In addition to any penalty provided for in this Article, upon the refusal or neglect of the person, officer or institution, to correct a violation and at least ten (10) days after the Code Enforcement Officer, by first class mail has served a notice of the same directing corrective action to the last known address on the tax assessment roles of the Town, the Code Enforcement Officer may take such steps to correct any condition where the same exists, which may reasonably place the public at risk.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Such actions shall include, but not be limited to the removal of trash or any other article from property or the securing, or demolition of any buildings or structures or may cause such work to be done and shall thereafter file a Certificate of Expense thereof, together with a description of the property upon which such action was taken, with the Town Clerk, who shall certify the same to the Town Board at the next regular meeting thereafter, and the expense of such action, demolition, removal, making safe or secure or other such action, (together with an addition Administrative Fee of 50% of the cost thereof, or \$500.00 , whichever is less), shall be paid by the owner of said property to the Town and may be collected in a proceeding pursuant to General Municipal Law, § 78-b, or by action at law or may be determined and assessed against the real property upon which such action was taken and collected in the same manner as the general town and county taxes as provided by law.

If at any time the Code Enforcement Office shall be prohibited from carrying out the provisions of this section or any other section of this statute because the owner or an agent for the owner has refused access to the property, the Code Enforcement Officer, either on his own, or with the aid of the Town Attorney, shall apply to any Town Justice, or any other court of competent jurisdiction to obtain a warrant to go upon such property, and to obtain from such court any further direction, or protection, as he may deem necessary. Any costs incurred in obtaining such warrant, including reasonable attorney's fees, shall be added to the Certificate of Expense as set forth above.

Section 2:      **THIS LOCAL LAW SHALL TAKE EFFECT UPON THE FILING WITH THE SECRETARY OF STATE OF THE STATE OF NEW YORK.**

(If additional space is needed, attach pages the same size as this sheet, and number each.)