

## Chapter 128

### BUILDINGS, DANGEROUS

**[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron 5-2-1955 by Ord. No. 55-7 (Title 5, Ch. 2, Art. 2, of the 1993 Code). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Building construction codes — See Ch. 124.

#### **§ 128-1. Dangerous buildings.**

Any building, structure or part thereof within the corporate limits of the Village, by reason of faulty construction, lack of repair, age or any other cause, which shall be in such condition as to endanger the life or limb of persons passing by or near the same or residing or being in the vicinity thereof or endangering any property contiguous thereto, is hereby declared a nuisance and dangerous to public safety.

#### **§ 128-2. Abate dangerous buildings.**

The owner or owners of said building, structure or part thereof shall abate said nuisance by the razing of said building, structure or part thereof to the ground level or by rebuilding or repairing said building, structure or part thereof in accordance with building restrictions so as to eliminate all danger to public safety.

#### **§ 128-3. Order of abatement.**

Upon the Board of Trustees by resolution declaring a nuisance, said Board of Trustees shall issue an order of abatement of said nuisance, which order of abatement shall be served upon the owner or owners of said building residing in the Village or published in one issue of a newspaper of general circulation in the Village, and a copy of said publication posted on said building if said owner or owners do not reside in the Village or are unknown.

#### **§ 128-4. Failure to abate.**

If said owner or owners shall fail to abate said nuisance within a reasonable time after the service or publication and posting of said order or abatement, but in no event to exceed the time specified in the order of abatement, then the Village shall abate said nuisance by razing said building, structure or part thereof to ground level, and said razing may be done by employment of labor or by contract, the salvage sold and the proceeds applied on the cost of razing and the cost of proceeding to abate.

#### **§ 128-5. Owner liable.**

In case said proceeds are insufficient to pay the costs of abatement, then the owner or owners shall be liable to the Village for the balance of said costs, to be recovered in a suit of law, and in case said proceeds are more than said costs, the balance shall be paid to said owner or owners or deposited in the Village treasury for the use of said owner or owners.