

(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 underling to indicate new matter.

~~County~~

~~City~~ of Rushville

~~Town~~

Village

Local Law No. 1 of the year 2005.

A local law to provide for enforcement of and penalties for violation of the New York State Uniform Fire Prevention and Building Code and The New York State Uniform Property Maintenance Code in the Village of Rushville, Ontario and Yates Counties, New York.

Be it enacted by the Village Board of the

~~County~~

~~City~~ of Rushville as follows:

~~Town~~

Village

SECTION I.

The provisions of The New York State Uniform Fire Prevention and Building Code and The New York State Uniform Property Maintenance Code are hereby applicable to all districts within the Village of Rushville.

SECTION II.

Any person, firm, company, corporation, partnership, limited liability company or other entity owning, controlling, occupying or managing any building, structure or premises therein or wherein, there shall be placed on, allowed to remain or there exists anything in violation of The New York State Uniform Fire Prevention and Building Code or The New York State Uniform Property Maintenance Code and any such person, firm, company, corporation, partnership, limited liability company or other entity who shall assist in the commission of any such violation or violation of any condition imposed by the Village Board, Zoning Board of Appeals or Planning Board or who shall use or build any building or parcel of land contrary to The New York State Uniform Fire Prevention and Building Code or The New York State Uniform Property Maintenance Code; any such person, firm, company, corporation, partnership, limited liability company or other entity who shall omit, neglect or refuse to do any act required by The New York State Uniform Fire Prevention and Building Code or The New York State Uniform Property Maintenance Code, shall be guilty of an offense and subject to a minimum fine of Two Hundred Fifty Dollars (\$250.00) or imprisonment

for a period of not more than 15 days or both and in addition may be ordered to pay all cost and expenses including fees and expenses of attorneys and engineers and other experts involved in the enforcement hereof. Every such person, firm, company, corporation, partnership, limited liability company or other entity shall be deemed guilty of a separate offense for each week such violation, disobedience, omission, neglect or refusal shall continue.

SECTION III.

In the event of any violation of The New York State Uniform Fire Prevention and Building Code or The New York State Uniform Property Maintenance Code or any condition imposed by the Village Board, Zoning Board of Appeals or Planning Board, in addition to the remedies above provided, the Village Board may institute any appropriate action or proceeding to prevent or enjoin such violation, disobedience, omission, neglect or refusal, and to restrain, correct or abate any such violation, disobedience, omission, neglect or refusal or to prevent any illegal act, conduct, business or use in or about any such premises.

SECTION IV.

If any part or provision of this Local Law or the application or enforcement thereof is adjudged invalid by any court of competent jurisdiction, such adjudication shall not impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances.

SECTION V.

Whenever the requirements of this Local Law are at variance with the provisions of any other lawfully adopted rule, regulation, ordinance, local law or other law, the most restrictive or those imposing a higher standard shall govern.

SECTION VI.

This Local Law shall be effective immediately upon its adoption and filing with the New York State Department of State.