Village of Freeville Local Law No. 1 of 2026
A Local Law Providing for the Repair, Removal or Demolition of Unsafe Buildings and Structures

Section 1. Legislative Intent
The Board of Trustees of the Village of Freeville hereby finds that structures which are fire-damaged, chemically hazardous, structurally unsound, or otherwise unsafe pose a threat to the safety, health, and welfare of village residents and the community. It is the intent of this local law to establish a uniform procedure for identifying such structures and ensuring their proper remediation or removal while providing for cost recovery in accordance with New York State law.

Article I – Identification and Remediation of Unsafe Buildings
§101. Authority and Enforcement: This law is enacted pursuant to §4-412(3) of the New York State Village Law, which authorizes villages to adopt regulations for the protection of public safety, and in accordance with §1450 of the NYS Uniform Fire Prevention and Building Code. Enforcement shall be delegated to the Village Code Enforcement Official (CEO), who shall administer this law on behalf of the Village.

§102. Definition of Unsafe Building or Structure A building or structure shall be deemed unsafe if it:

- Is structurally compromised to the extent that it poses a risk to life, health, or property;
- Has been damaged by fire or other disaster and is no longer habitable;
- Contains hazardous materials that threaten public safety;
- Has been left vacant and unsecured, permitting trespass or infestation.

Article II – Procedure for Condemnation and Remediation

§201. **Investigation and Notice:** Upon complaint or discovery, the CEO shall inspect and issue a written report of findings. If the structure is deemed unsafe:

A written Notice of Unsafe Condition shall be issued to the owner of record, mailed via certified mail and first-class mail to their last known address, and posted on the premises. If the CEO intends to order demolition of the structure should the unsafe condition not be corrected, the notice shall explicitly state such intention.

If the owner cannot be located or is absentee, notice shall also be mailed to any listed mortgagee and published once in a newspaper of general circulation in the county pursuant to Real Property Tax Law §1125(1)(b)(iii).

§202. **Opportunity to Respond:** The owner shall be given thirty (30) days from the date of mailing or publication to:

- Secure or remediate the structure;

- Apply for necessary permits; or
- Request a hearing before the Board of Trustees by submitting a written request to the Village Clerk by mail or email.
- If no response is received, or if remediation is inadequate, the Village may take appropriate corrective action.
- Failure to comply within the specified timeframe may result in the imposition of fines not to exceed $_____ per day for each day the violation continues.

§203. **Emergency Remediation:** If the Code Enforcement Officer determines that immediate action is required due to imminent danger to public health or safety—such as risks posed by fire damage, chemical hazards, structural collapse, or environmental contamination—the Village may enter the property and conduct necessary remediation, including demolition, without prior consent from the owner of record. This authority is exercised in accordance with New York State Environmental Conservation Law §27-1313 and Executive Law Article 2-B, which permit municipal action to mitigate threats posed by hazardous substances and emergency conditions.

Following such remediation, the Village shall promptly document the scope of work performed and mail written notice to the property owner at their last known address. If mailing is unsuccessful, or if the owner cannot be reasonably located, notification shall also be published once in a newspaper of general circulation within the county, pursuant to Real Property Tax Law §1125(1)(b)(iii). All actions shall be recorded and retained for public inspection.

Article III – Cost Recovery and Re-Levy Procedures

§301. **Itemized Statement of Costs:** Following completion of any remediation, demolition, or securing work, the CEO shall submit a verified itemized statement of costs to the Village Clerk and Treasurer, including:

- Labor and materials;
- Contracted services;
- Insurance, bond, and legal expenses;
- Notification and publication costs.

Copies shall be mailed to the owner of record via certified mail and first-class mail and retained for public inspection. If mailed notice cannot be delivered due to closure of the listed address or other impediment, the Village shall: (a) document its reasonable attempts to locate and contact the owner of record; (b) send copies of the statement to any lienholders or mortgagees on file; and (c) publish a summary of the cost statement once in a newspaper of general circulation in the county, as prescribed by Real Property Tax Law §1125(1)(b)(iii).

§302. **Re-Levy on Taxes:** If unpaid after thirty (30) days from mailing:

The Treasurer shall enter the unpaid amount as a lien on the property;

The amount shall be added to the next assessment roll of village taxes pursuant to Real Property Tax Law §506 and collected as a special assessment;

Interest shall accrue at five percent (5%) per annum from the date of the initial mailing.

§303. **Alternative Recovery:** The Board of Trustees, on behalf of the Village of Freeville, may commence a special proceeding in a court of competent jurisdiction to collect the costs of demolition and other expenses incurred by the village in removing or correcting violations, including reasonable and necessary legal expenses incidental to obtaining an order to demolish, from the owner of any building, structure or lot that may now be or shall hereafter become dangerous or unsafe to the public.

Article IV – Severability and Effective Date:

§401. **Severability:** If any provision of this law is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions.

§402. **Effective Date:** This Local Law shall take effect immediately upon filing with the Secretary of State pursuant to §27 of the Municipal Home Rule Law.

Article V – Administrative Liability

§501. **Administrative Liability:** No officer, agent or employee of the Village of Freeville, shall be personally liable for any damage resulting from any official demolition, order or action required or permitted in the discharge of his duties under this Code. The Village of Freeville shall defend and indemnity the director and the chief of the fire department, or other officers of their departments specifically designated and authorized by them to make such official demolition, order or action in the discharge of their duties under this Code, against any judgements or liability that may arise as a result of any such official demolition, order [or] action made or taken by them in the discharge of their duties under this code.