# DRAFT PROPERTY MAINTENANCE CODE

## TOWN OF WEBSTER

Department of Community Development
April 27, 2023

# SUMMARY:

**Mtg #1 - November 10, 2022**
Initial presentation identifying deficiencies of existing code

**Mtg. #2 February 23, 2023**

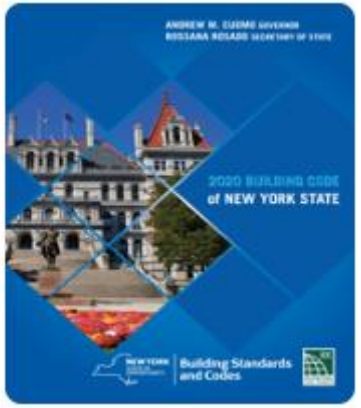
Mandatory Enforcement of NYS Uniform Code

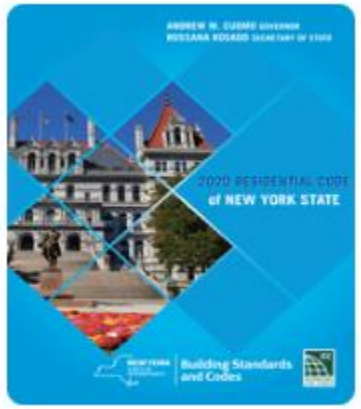
**Mtg. #3 April 27, 2023**
Review and discussion of draft property maintenance chapter

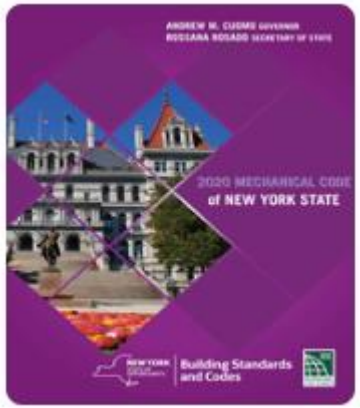
# Tonight's Presentation Will Highlight:

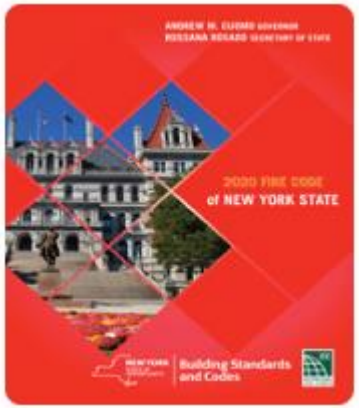
- Proposed Articles & Subsections:
  - Definitions
  - Exterior Property Maintenance
  - Interior Property Maintenance
  - Vacant Structures
  - Vacant Lot Maintenance
  - Enforcement Proceedings
  - Correction of Violations

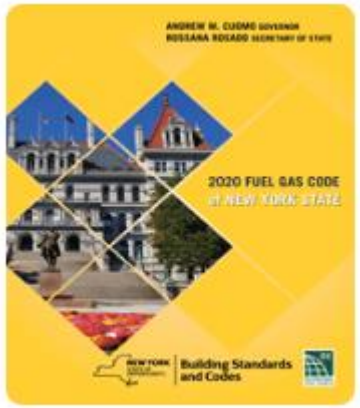
# UNIFORM CODE CONTENTS




**The "UNIFORM CODE"**

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**New York State Uniform Fire Prevention and Building Code**

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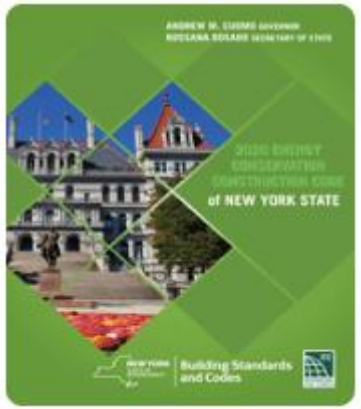
- Residential Code of NYS (IRC)
- Building Code of NYS (IBC)
- Fire Code of NYS (IFC)
- Plumbing Code of NYS (PCNYS)
- Fuel Gas Code of NYS (FGCNYS)
- Mechanical Code of NYS (MCNYS)
- Existing Building Code of NYS (IEBC)
- **Property Maintenance Code of NYS (IPMC)**
- Energy Conservation Construction Code of NYS (ECCCNYS)



# DEFINITIONS:

- Specific Roles/Responsibilities of Town & State Officials
- Improved specificity of common terms used within chapter
  - Carport
  - Yard
  - Notice and Order

# EXTERIOR PROPERTY MAINTENANCE:

- Exterior Property Areas
  - Fences
  - Ground cover
  - Tall grass/weeds
  - Roofs
- Garbage and Refuse
  - Outdoor storage of “junk”
  - Leaf pick up
  - Commercial Dumpster Enclosures

# INTERIOR PROPERTY MAINTENANCE:

- Smoke Detectors
- Egress Requirements
- Drainage
- Electrical Maintenance

# VACANT STRUCTURES:

- Defining Vacant Structures
- Removal of Combustible Waste / Materials
- Securing of Structure(s)

# VACANT LOT MAINTENANCE (WITHIN DEVELOPED AREAS):

- Removal of Combustible Waste / Materials
- Heavy Undergrowth
- Exemptions

# ENFORCEMENT & COMPLIANCE:

- Designation of Enforcement Officials
- Identification upon request
- Postings & Placards

# CORRECTION OF VIOLATIONS:

- Commencement of Proceedings
- Notice and Order
  - Delivery of Notice
  - Reasonable time period to achieve compliance
- Emergency Action

# VIOLATIONS / INSTANCES OF NON-COMPLIANCE:

- Procedure
  - Notice and Order
  - Appearance Ticket
  - Court Hearing
    - Civil Penalties

**Town of Webster**
***Where Life Is Worth Living!***

*Department of Community Development*
*Code Enforcement Officer*

*Tom Flaherty, Town Supervisor*

**Notice and Order**
(*Order to Remedy*)

[redacted]
Webster,NY14580

**Case Number:** [redacted]
**Issue Date: 4/25/2023 8:19:48 AM**

Violation(s) of the Property Maintenance Code of New York State and/or the Town or Village of Webster Code as identified below are found to exist at [redacted] WEBSTER, NY 14580.

| Code | Violation Description | Location | Corrective Action | Correct by Date |
|---|---|---|---|---|
| § 350-79 B. | No stockade or other solid fence or chain-link fences are permitted in the front setback of any residential lot. No fence in excess of four feet in height shall be erected in the front setback of any residential lot. | Front Yard | Fence falls into front setback of corner lot. Remove fallen fencing and fence posts from property. | 05/05/2023 |

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to remedy the condition(s) above mentioned by the listed "Correct by Date". A re-inspection is hereby scheduled no later than the "Correct by Date" listed above and adjacent to each violation.

FAILURE TO REMEDY the conditions aforesaid and to comply with the applicable provisions of law will constitute an offense punishable by fine or imprisonment or both.

Thank you for your immediate attention to this matter. Feel free to contact me at 585-872-7035.

Jim Montgomery
Code Compliance Coordinator

# NEXT STEPS

- Awaiting Legal Review / Feedback
- TB Resolution to set a public hearing
- Hold Public Hearing
- Make Final Edits
- Adopt into Town Code
- **Effectively Address long standing problem properties!**

# QUESTIONS?