



VILLAGE OF OSSINING
John-Paul Rodrigues Ossining Operations Center
Building Department
101 Route 9A, PO Box 1166, Ossining, NY 10562
Telephone (914) 941-3199 Fax (914) 762-6813

OFFICE USE ONLY

Rec'd By _

Date _

☐ Check ☐ Cash ☐ Credit

Check # _

Local Law 5-2018 Vacant Building Registration

*Registrations must be submitted by email **ONLY** to permits@villageofossining.org*

You will be contacted via email to make payment.

Registration Fee (check applicable):

Residential

Year 1

☐ First unit \$400;
each additional
unit \$400

Year 2

☐ First unit \$1,000;
each additional
unit \$400

Year 3

☐ First unit \$1,000;
each additional
unit \$600

Each Subsequent Year

☐ First unit \$2,000;
each additional
unit \$1,000

Commercial

Year 1

☐ \$2,000 or \$.20
per square foot,
whichever is
greater

Year 2

☐ \$2,150 or \$.30
per square foot,
whichever is
greater

Year 3

☐ \$3,000 or \$.40
per square foot,
whichever is
greater

Each Subsequent Year

☐ \$5,000 or \$.50
per square foot,
whichever is
greater

Date: _

OWNER:

Name of Owner _

Property Address for which **Vacant Building Registration** is requested _

SBL: _

Zone _

Current Occupancy Class _

☐ Residential

☐ Commercial

Number of Families _

Type of Owner:

☐ Individual

☐ LLC

☐ Corporation

☐ Other _

OWNER CONTACT:

Name _

Home Phone _

Home Address (NO PO BOX) _

Cell Phone _

-

Email _

LIENHOLDER CONTACT:

Name _

Work Phone _

Address (NO PO BOX) _

Cell Phone _

-

Email _

BANK CONTACT:

Bank Name _

Bank Contact _

Address (NO PO BOX) _

-

Work Phone _

Cell Phone _

Email _

MANAGEMENT COMPANY CONTACT:

Management Company Name _

Site Manager Name _

Address (NO PO BOX) _

-

Work Phone _

Cell Phone _

Email _

PROPERTY MAINTENANCE CONTACT:

Maintenance Company Name _

Manager Name _

Address (NO PO BOX) _

-

Work Phone _

Cell Phone _

Email _

NAME AND TELEPHONE NUMBER OF RESPONSIBLE PERSON WHO CAN BE REACHED AT ALL TIMES:

Name _

Connection to Property _

Cell Phone _

Other (specify) _

To be completed by the Village of Ossining Building Department

Inspections Required ☐ Yes ☐ No

Inspections Performed ☐ Yes ☐ No **Date of Inspection** _

Tests or Reports required to verify compliance? ☐ Yes ☐ No

If YES, have Tests or Reports been received? ☐ Yes ☐ No

Description: _

Registration Approved ☐ Yes ☐ No

Building Inspector: _

Date: _

LOCAL LAW 5-2018

A Local Law amending Chapter 162 (Housing/Property Maintenance and Building Code Administration) of the Village of Ossining Code.

BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:

VACANT BUILDING

Any building, structure or portion thereof designed or used for residential or commercial purposes which has been unoccupied or unused for a period of 60 days or longer.

Additionally, a vacant building will include any building, structure or portion thereof that is unoccupied as determined by the appropriate Village, County or State agency.

162-54 Vacant building registration; fees.

A. The owner shall register with the Building Department not later than 30 days after any building located in the Village becomes a vacant building or not later than 30 days after being notified by the Building Department to register. The Enforcement Officer may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry. The owner shall register the property annually with the Building Department. The renewal date shall be January 31 of each year.

B. The registration shall be provided on forms provided by the Building Department and shall include, among other matters, the following information supplied by the owner:

(1) A description of the premises, address, block and lot number;

(2) The names, addresses and phone numbers of the owners;

(3) The name, address and phone number of any person contracted by the owner for property management;

(4) The names, addresses and phone numbers of all known lien holders and all other parties holding an ownership interest in the property; and

(5) A telephone number where a responsible person and owner can be reached at all times.

C. The owners shall submit a vacant building plan which must meet the approval of the Director of Code Enforcement, the Building Inspector or Assistant Building Inspector. The plan, at a minimum, must contain information from one of the following three choices for the property:

(1) If the building is to be demolished, a demolition plan under a permit application filed with

the Building Department, indicating the proposed time frame for the building to be demolished, an affidavit executed by the owner that he will assume all costs associated with the demolition, and a performance guaranty.

(2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided by the Building Department, if applicable, such plans must be filed along with the procedure that will be used to maintain the property in accordance with the Village's Building Code, and a statement of the reasons why the building will be left vacant and for what time period the building will be vacant, and a performance guaranty, all of which must be acceptable to the Director of Code Enforcement, Building Inspector or Assistant Building Inspector.

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property and a performance guaranty shall be provided. The rehabilitation plan shall not exceed 365 days, unless the Director of Code Enforcement, Building Inspector or Assistant Building Inspector grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and must be secured in accordance with the Village Code, and with the directions of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector, during the rehabilitation or until a new Certificate of Occupancy or Certificate of Completion has been issued.

D. All applicable laws and codes shall be complied with by the owner. The owner shall notify the Building Department of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector.

E. The owner and subsequent owners shall keep the building secured by any means necessary and/or required to keep the building safe and secured while properly maintaining said building at all times as provided for in this article and in article IX. Failure of the owner or any subsequent owners to keep the building secure and safe and/or maintain the building and premises that result in remedial action taken by the Village shall be grounds for the revocation of the approved plan and shall be subject to any applicable penalties provided by law.

F. The new owners shall be required to register the vacant building with the Building Department within 30 days of any transfer of an ownership interest in a vacant building. The new owners shall comply with the approved plan, the performance guaranty, if required, and the timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector.

G. Any person owning or having charge or control of any building which has been vacant for

over 60 days shall remove all combustible waste and refuse therefrom and lock, barricade, guard continuously or otherwise secure all windows, doors and other openings in the building to prevent entry by unauthorized persons.

H. In vacant or unoccupied buildings or portions thereof, all required sprinkler, standpipe and fire alarm systems and all component parts shall be maintained in operating condition at all times.

I. Where any door, window or other means of ingress or egress from a vacant building or structure has become broken or open, the property owner shall promptly make repairs and the Director of Code Enforcement, Building Inspector, Assistant Building Inspector or Code Enforcement Officer may order the building or structure repaired so as to comply with the requirements detailed in this article.

J. Except for one locked exterior door, all openings shall be boarded up as detailed in subsection K when deemed by the Director of Code Enforcement, Building Inspector, Assistant Building Inspector or Code Enforcement Officer to be necessary for the protection of the public health, safety and welfare. Where the aforementioned code enforcement personnel do not deem it necessary to board up windows or other openings in vacant buildings, such buildings shall maintain doors and glass windows in good condition appropriate to the architecture of the building and shall provide appropriate window dressings where code enforcement personnel deem it necessary to shield the public's view into the vacant building. Appropriate window dressings shall not include newspaper, white window paint or other similar means of concealing views into the vacant building. All show windows and glazed doors shall be periodically washed and maintained in a clean and sanitary condition. All cracked or broken show windows or glazed doors shall be repaired or replaced as necessary.

K. All openings shall be fitted with boards cut to actual size with new material of either plywood or pressboard having a minimum thickness of ½ inch and retained in place by affixing two inches by four inches top, bottom and center on the exterior in a neat and workmanlike manner. All plywood or pressboard used in boarding up shall be painted in a color and quality of paint subject to the approval of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector.

L. All storefronts shall be kept in good repair, painted where required, and shall not be permitted to become a safety hazard or nuisance. In the event that repairs to a storefront become necessary, such repairs shall be made so as to permanently repair the damaged areas. Any cornice visible above a storefront shall be kept painted and otherwise in good condition and repair.

M. The owner or other responsible party for the maintenance of a vacant building shall take such steps as may be required to ensure that the building and any adjoining yard on the premises remains secure and does not present a hazard to adjoining properties or the public. Each floor area within the vacant building shall maintain at least one means of

egress which complies with the New York State Fire Prevention and Building Code, as revised.

N. The floor area of each vacant building shall be lighted by no less than a twenty-five watt light fixture.

O. All signs and associated hardware shall be removed after a commercial occupancy becomes vacant in excess of 60 days.

P. Vacant building fees.

(1) The owner of a vacant building shall pay an annual fee as set forth in Subsection G(3) for the period the building remains a vacant building. The fee shall be paid within 30 days after the building becomes vacant. If the fee is not paid within such time, the owner shall be subject to penalties and any additional fees that may be imposed by the court. The fee shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs of the Village in monitoring the vacant building site.

(2) The first annual fee shall be paid no later than 30 days after the building becomes vacant.

(3) The following fees are hereby imposed:

<u>Property Type</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Each Subsequent Year</u>
<u>Residential</u>	<u>First unit \$400; each additional unit \$400</u>	<u>First unit \$1,000; each additional unit \$400</u>	<u>First unit \$1,000; each additional unit \$600</u>	<u>First unit \$2,000; each additional unit \$1,000</u>
<u>Commercial</u>	<u>\$2,000 or \$0.20 per square foot, whichever is greater</u>	<u>\$2,150 or \$0.30 per square foot, whichever is greater</u>	<u>\$3,000 or \$0.40 per square foot, whichever is greater</u>	<u>\$5,000 or \$0.50 per square foot, whichever is greater</u>

(4) If the fee is not paid within 30 days of being due, the owner shall be subject to a penalty of \$200 per month and prosecution in court. If a plan is extended beyond 365 days, subsequent annual fees shall be due on the anniversary date. Any fee not paid at this time shall be subject to payment of an additional penalty of \$200 per month for each month the fee remains unpaid, such additional penalty coming due on the first day of each month. After six months, if the fee still remains unpaid, the penalty will increase by \$200 per month for each month the fee remains unpaid, until the penalty reaches the amount of \$4,000, at which point it will remain until the matter is resolved. If any penalty is not paid within 30 days of the due date, the owner shall be subject to prosecution in court.

(5) The fee shall be paid in full prior to the issuance of any building permits, certificates of

occupancy or certificates of completion, with the exception of any demolition permit.

- (6) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. If the fees are not paid prior to any transfer, the new owner shall pay the annual fee no later than 30 days after the transfer of ownership, and subsequent annual fees shall be due on the anniversary date of the filing of the registration form.

162-55 Exemptions.

- A. A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 45 days after the fire or extreme weather event if the property owner submits a written request for exemption to the Building Department. This written request shall include the following information supplied by the owner:

(1) A description of the premises, address, lot and block;

(2) The names, addresses and phone numbers of the owners;

(3) A statement of intent to repair and reoccupy the building in an expedient manner or the intent to demolish the building;

(4) A performance guaranty.

(5) If a building is actively undergoing renovation or restoration under a building permit, the status of the building shall be reviewed at the time of a request for permit extension for inclusion in the registry.

- B. Any property on which a building permit has been received and is being actively developed shall be exempt from the registration requirement for a period of six months from the date of the written request for an exemption which has been submitted to the Building Department. If additional time is needed, the Building Department may grant one additional exemption by which time the work on the building shall be completed. The written request shall include the following information supplied by the owner:

(1) A description of the premises, address, lot and block;

(2) The names, addresses and phone numbers of the owners; and

(3) A statement indicating the expected date of the completion of the development of the property.

162-56 Inspections and reports.

- A. The Building Department, Police Department, and Department of Public Works may inspect any premises in the Village for the purposes of enforcing and assuring compliance with the provisions of this article. Upon the request of the Enforcement Officer, an owner

shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Enforcement Officer or his or her designees in order to enable such inspection, and the Enforcement Officer shall be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises.

- B. The Building Department shall do periodic inspections of each vacant building or unit. The Building Department shall also submit a biannual report, no later than April 15 and October 15 of each year, to the Village Manager, listing all buildings declared vacant under the provisions of this article and the date upon which the buildings or units were declared vacant and whether a building plan has been filed. The report shall include a list of all previously declared vacant buildings which are no longer subject to the provisions of this article.

162-57 Appeals.

- A. The property owner may appeal any adverse decision of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector under this article to the Vacant Buildings Review Board by filing a written request for review with the Director of Code Enforcement or Building Inspector, setting forth the reasons for the appeal, within 10 days after receipt of the determination.
- B. The appeal will be considered by the Vacant Buildings Review Board which shall consist of the Village Manager or his/her designee, the Village Engineer or his/her designee and the Corporation Counsel or his/her designee.
- C. A timely request for appeal shall stay any action of the Building Department until the Vacant Buildings Review Board has decided the appeal. If a request for appeal is not made within the ten-day period, the action of the Director of Code Enforcement Officer, Building Inspector or Assistant Building Inspector is final.
- D. The property owner shall be entitled to a hearing by the Vacant Buildings Review Board only if requested in the written request for review.
- E. The Vacant Buildings Review Board shall consider the evidence submitted by the property owner while reviewing the decision of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector. The Board shall make its decision on the basis of the preponderance of the evidence. The Board must render a decision within 30 days after the request for an appeal is filed. The Board shall affirm, reverse or modify the action of the Director of Code Enforcement, Building Inspector or Assistant Building Inspector. The decision of the Board is final as to administrative remedies with the Village.

162-58 Penalties for offenses.

- A. A violation of any section of this article shall be treated pursuant to Village Code Chapter 1 Article III.

- B. When the Village obtains a judgment in any action against the owner, in addition to the appropriate methods of enforcement of the judgment established in the New York Civil Practice Law and Rules, such judgment for penalties shall be assessed and collected in the same manner as Village taxes.

Section 3 Chapter 162 Article IX ("Outdoor Signs") has been added with new matter underlined.

162-59 **Abandoned Signs**

- A. An abandoned sign is any sign which advertises, identifies or pertains to an activity no longer in existence for at least 60 days. This provision does not apply to seasonal activities during regular periods in which the activity is closed.
- B. Where a sign has been abandoned, the owner of the sign, or the owner of the building or premises in the sign owner's absence, shall be required to remove such sign when so directed by the Director of Code Enforcement, Building Inspector or Assistant Building Inspector. If such sign is not removed by the owner of the sign, or the owner of the building or premises in the sign owner's absence, the Department of Public Works shall remove the sign at the building or premises owner's expense.
- C. After the removal of said sign by the Department of Public Works, the Village Engineer shall file a certificate of the expenses thereof, together with a description of the property, including the section, block and lot number on the Official Tax Map of the Village of Ossining for which the expenses were made with the Village Treasurer and with the Assessor and shall send, by registered or certified mail, to the owner as his /her name appears on the tax rolls of the Village of Ossining, a bill for the expenses incurred. Upon the failure of said owner to pay the Village the cost of such expense by the next succeeding tax status date, the same shall be added to the tax rolls of the Village of Ossining for the next succeeding tax year and shall be considered a real estate tax due to the Village of Ossining on the parcel of property and may be enforced or collected in the same manner as all other real property taxes of the Village of Ossining.