

VILLAGE OF CORNELL

ORDINANCE 19.1

BUILDINGS AS NUISANCES

BE IT ORDAINED:

SECTION I: (Demolition) It shall be unlawful to demolish any building or structure, or any part thereof, without first having secured a permit therefor. A permit for the demolition of any building or structure, or any part thereof, shall be necessary if a building permit would be required if the building or structure being demolished, or that part thereof being demolished, would have required a building permit if the same were being constructed.

SECTION II: (Application) Applications for such permits shall be made to the building inspector for the Village, the Village President, or any other appropriate officer designated by the Village Board of Trustees.

SECTION III: (Dangerous Buildings) The term "dangerous buildings" as used in this Chapter is hereby defined to mean and include the following:

1. Those whose interior walls or other vertical structural members list, lean, or buckle to such an extent that a line passing through the center of gravity falls outside the middle third of its base;
2. Those which have improperly distributed boards upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonable safe for the purposes used;
3. Those which have been damaged by fire, wind, or other causes to as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the citizens of the Village of Cornell;
4. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, or so as to injure the general public or those living therein;
5. Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein;
6. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of communication;

7. Those which have parts thereof which may fall and injure members of the public;
8. Those which because of faulty construction, age, lack of proper repair, or other cause, are especially liable to fire and constitute a fire hazard;
9. Those which because of characteristics may be in danger of falling or collapsing.

SECTION IV: (Prohibition) It shall be unlawful to maintain or permit the existence of any dangerous building in the Village of Cornell; and it shall be unlawful for the owner, occupant, or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit to be occupied while it remains in a dangerous condition.

SECTION V: (Abatement) Whenever the building inspector, or the fire marshal, or any other duly appointed official, or the County Zoning Commissioner, or designated officer of the Village of Cornell, shall be of the opinion that any building or structure in the Village is a dangerous building, he shall file a written statement to this effect with the Village Clerk. The Clerk shall thereupon cause written notice to be served upon the owner thereof, and upon the occupant thereof, if any, by registered mail or by personal service. Such notice shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once.

If the person receiving the notice has not complied therewith or taken an appeal from the determination of the officer or employee finding that a dangerous building exists, within 15 (fifteen) days from the time when this notice is served upon such person by personal service or registered mail, the County Zoning Commissioner, the building inspector, or appropriate officer may upon orders of the President and the Board of Trustees, proceed to remedy the condition or demolish the dangerous building in the manner as approved by Statute or Ordinance.

SECTION VI: (Building Inspector) A building inspector may be appointed by the Board of Trustees and shall receive such compensation as determined by the Board of Trustees.

SECTION VII: (Penalty) Any person, firm, entity, or corporation violating any provision of this Chapter or permitting any dangerous building or building or structure to remain in a dangerous condition, shall be fined not less than \$100 (One Hundred Dollars) nor more than \$500 (Five Hundred Dollars) for each offense.

A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

The Village of Cornell may enter onto the property where such a building is located, either demolish the building or take such action as necessary to repair the building so it is no longer dangerous. The costs of such corrective action by the Village will be assessed against the owner, occupant, lessee, tenant, or any legal person in possession or control of the property at that time.

In addition, any person, firm, entity, or corporation violating any provision of this Ordinance shall be responsible for the payment of all costs incurred by the Village of Cornell including but not limited to all court costs and attorney's fees that the Village may incur in bringing an action against that person to enforce this Ordinance.

The provisions of this Ordinance are to be deemed in conjunction with and not to the exclusion of any provisions of the Ordinances of the Village of Cornell concerning nuisances within the Village.

PASSED AND APPROVED this 9th day of December, 2024
pursuant to a roll call as follows:

Motion made by Carol Murgese, seconded by Don Leonard, that the Ordinance be passed.

Ayes: 5

Not Voting: 0

Nays: 0

Abstaining: 0

Approved by me this 9th day of December, 2024.

Steven J. Rapp
Steven Rapp, President
Board of Trustees for the
Village of Cornell

Attested to this 9th day of December, 2024.

Margaret Elzey
Margaret Elzey, Village Clerk