

Ordinance for Property Maintenance

1. Purpose:

This code is intended to provide minimum standards governing the condition, occupancy and maintenance of occupied and unoccupied premises, and to protect, preserve, and promote public health, safety and welfare. This code is further intended to establish responsibilities for the maintenance of all premises, delegates administrative responsibility and enforcement powers, and creates enforcement procedures.

2. Definitions:

- a. Abandoned: shall mean any property which is deserted for more than 60 days
- b. Blighted premises: a building, structure, or property that:
 1. Is in a condition which poses a serious threat to the safety, health, and general welfare of the community as determined by the Fire Marshal, Building Inspector, Zoning Enforcement Officer or Sanitarian
 2. Is attracting illegal activity as documented by the Police Department
 3. Is not being maintained as evidenced by the existence of but not limited to the following conditions:
 - a. is open to the elements, or has collapsing or missing walls, roofs, windows, doors;
 - b. is unable to provide shelter, or serve the purpose for which it was constructed due to damage, dilapidation, decay, or severe animal infestation
 - c. the property is chronically neglected or abandoned
 - d. has material which is incapable of performing the function for which it is designed including, but not limited to; abandoned, discarded, or unused equipment or objects
 - e. equipment such as automobiles, motorcycles, boats, and recreation vehicles which are unregistered and missing parts, not complete in appearance or in an obvious state of disrepair;
 4. parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers and garbage that are in the public view.
 5. has been vandalized or otherwise to the extent that it is seriously deteriorating property values in the neighborhood.
 6. has overgrown grass or weeds at least one foot in height
 7. is not being maintained or is becoming dilapidated as defined herein
- c. Dilapidation: shall mean partial ruin, decay or disrepair due to misuse, age or neglect
- d. Owner/Occupier: shall mean any person, institution, foundation, entity or authority

which owns, leases, rents, possesses, or is responsible for property within the Town

- e. Public view: shall mean visible from any public right-of-way or neighborhood
- f. Town: Town of Somers
- g. Vacant: shall mean a period of 60 days or longer during which a building or structure or part thereof is not legally occupied by human beings

3. Enforcement:

The Town Enforcement Officer, or other such person designated by the Board of Selectmen shall make, or cause to be made, inspections to ensure compliance with and enforce the provisions of this chapter.

4. Penalty:

Violations of the provisions of this chapter shall be punishable by a fine of \$100 for each day a violation exists and continues.

5. Conflicts with Other Ordinances:

This ordinance shall not repeal, annul, or in any way, impair or remove the necessity of compliance with any other rules, regulations, bylaws, permits, or provision of the Town of Somers.

Public Hearing:

Approval by Board of Selectmen:

Publication Date:

Effective Date: