

RESOLUTION NO. XX OF 2016 - RESOLUTION AND ORDER DETERMINING THAT A BUILDING AT 1840 DANBY ROAD IS UNSAFE, DIRECTING REMEDIATION, AND SETTING A DATE FOR A HEARING REGARDING THE UNSAFE BUILDING

Whereas, the Town of Danby Code Enforcement Officer inspected the structure (“the Building”) on December 28, 2015, at 1840 Danby Road, Town of Danby Tax Parcel 10.-1-25, Christopher Muka, Owner (“the Owner”); and

Whereas, as a result of such inspection the Code Enforcement Officer prepared a report dated March 9, 2016 (the “Findings and Recommendations as to the Repair or Demolition and Removal”), determining that the Building at 1840 Danby Road is unsafe and dangerous, as defined in Town of Danby Local Law No.4 of 2000, “A Local Law Providing for the Repair or Removal of Unsafe Buildings and Collapsed Structures” (as amended by Local Law No. 1 of 2002); and

Whereas, the Code Enforcement Officer recommends certain actions be taken to secure the Building and to minimize the danger to life and property from the present damaged and hazardous condition, all as more particularly set forth in the Findings and Recommendations as to the Repair or Demolition and Removal report; and

Whereas, the Town Board has reviewed the Findings and Recommendations as to the Repair or Demolition and Removal report; and

Whereas, pursuant to NYCRR Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review Act), the adoption of this resolution and order is a Type II Action, being a routine or continuing agency administration and management not including new programs or major reordering of priorities that may affect the environment, and therefore no further environmental review is necessary;

Now Therefore, be it

Resolved, that the Town Board of the Town of Danby determines that the adoption of this resolution and order is a Type II Action, and therefore no further environmental review is necessary; and it is further

Resolved, that the Town Board of the Town of Danby determines that the Building at 1840 Danby Road is unsafe and dangerous, as defined in Town of Danby Local Law No. 4 of 2000 (as amended by Local Law No.1 of 2002), in the manner and for the reasons set forth in the Findings and Recommendations as to the Repair or Demolition and Removal report; and it is further

Resolved, that the Town Board of the Town of Danby hereby Orders the Owner of the property at 1840 Danby Road, 10.-1-25, Christopher Muka, to comply with the recommendations of the Findings and Recommendations as to the Repair or Demolition and Removal report, being that the contents of the Building must be removed, the Building must be demolished, and all debris and abandoned materials must be removed from the site unless portions of the debris can be lawfully disposed of on the premises; and it is further

Resolved, that a hearing be held before the Town Board in relation to the dangerous and unsafe building on March 21 at 7:00pm, at the Town Hall, 1830 Danby Road, Ithaca, New York; and it is further

Resolved and Ordered, that the Town Code Enforcement Officer cause a copy of this Resolution and Order, together with the Notice required by Section 6 of said Local Law No. 4 of 2000 (as amended by Local Law No. 1 of 2002) and the Findings and Recommendations as to the Repair or Demolition and Removal report, to be served upon the Owner in any manner authorized by said Local Law.