

Chapter 105, BUILDINGS, DEMOLITION OF

[HISTORY: Adopted by the Board of Trustees of the Village of Horseheads 6-23-1977 as L.L. No. 8-1977. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction and fire prevention -- See Ch. 102.

Unsafe buildings -- See Ch. 109.

§ 105-1. Application for permit; notice.

- A. Before the demolition or removal of any building or structure is begun, an application shall be prepared by the owner, architect, builder or contractor, on appropriate forms furnished by the Village Clerk, containing a statement of facts in relation thereto and as to the location and ownership thereof. The application shall be filed with the Village Clerk, and a written permit shall be obtained from him or her upon payment of the proper fee.
- B. Unless restricted to a lesser time as provided herein, such permit shall expire by limitation two (2) months from the date of its issuance.
- C. The Code Enforcement Officer shall be given not less than twenty-four (24) hours' notice before the demolition or removal of any structure or building is begun.

§ 105-2. Insurance.

- A. Before any permit is issued granting authority to demolish, wreck or move a building or structure for which such permit is required, the person, firm or corporation engaged in the work of wrecking, demolishing or moving the same shall file with the Village Clerk a bond or public liability insurance containing personal injury and property damage provisions, which bond or insurance policy shall be approved by the Village Attorney, to indemnify, keep and save harmless the village against any loss, cost, damage, expense, judgment or liability of any kind whatsoever which may accrue against or be charged to or recovered from said village or any of its officials from or by any reason or on account of accidents to persons or property during any such wrecking, demolishing or moving operations.
- B. Said bond or public liability insurance shall be in amounts to be determined by the Code Enforcement Officer and Village Attorney, who may require additional sums as protection for the village as may be necessary from time to time thereafter.

§ 105-3. Conditions.

- A. Prior to demolishing, wrecking or moving any building or structure, if the Village Code Enforcement Officer determines it to be necessary, extermination measures will be taken by the applicant or his agent to assure extermination of rodents and insects within the building or structure so as to prevent the spread of such pests to adjacent properties. After extermination measures have been taken, the Code Enforcement Officer shall cause an inspection to be made to assure adequacy of measures taken prior to the commencement of actual wrecking, demolition or moving work.
- B. The wrecking, demolition or moving work shall be done in such a manner as to keep dust, debris, mud and noise to a minimum so as not to cause a hazardous condition.
- C. No permit shall be granted in connection with the wrecking, demolition or moving of a building or structure located within ten (10) feet of a public sidewalk or highway unless provisions have been or will be made for a shed or fence covering over said sidewalk or street or suitable arrangement made with the Village Police Department to alter, discontinue or relocate temporarily said sidewalk or street.
- D. Before any permit is issued as aforesaid, the Code Enforcement Officer may determine a reasonable time of less than two (2) months is required for the wrecking, demolition or moving of the building or structure involved, and the permit shall be issued on the condition that the work be completed, including removal of rubbish, debris and so forth and backfilling of any excavations to the level of the surrounding property and so forth, within this time limitation found to be reasonable; further, the owner shall be responsible for maintaining the level of the ground for one (1) year after completion.

§ 105-4. Exceptions.

This chapter shall not apply to any demolition of a part of a family dwelling where the demolition is being done by the owner/occupant and no part of the main roof is removed, nor shall this chapter apply when a building permit has been issued in connection with the same plans.

§ 105-5. Fees. ^{EN(1)}

For the demolition, wrecking or moving of any building or structure, the fee shall be as set by resolution of the Board of Trustees from time to time. ^{EN(2)}

§ 105-6. Penalties for offenses. EN(3)

Any person committing an offense or violation against any provision of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty.

Endnotes

1 (Popup - Popup)

Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

2 (Popup - Popup)

Editor's Note: The current fee schedule is on file in the village offices.

3 (Popup - Popup)

Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.