

## ARTICLE 17 REMEDIES

### **Sec. 17.0. Complaints of violations.**

Whenever a violation of this law occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the code enforcement officer, who shall properly record such complaint and immediately investigate the report thereon.

### **Sec. 17.1. Procedure for abatement of violations.**

17.1.1 Whenever in the opinion of the code enforcement officer, after proper examination and inspection, there appears to exist a condition which is a violation of any provision of this law, or of any rule or regulation adopted pursuant thereto, the code enforcement officer shall serve a written notice of violation upon the owner of the property in violation. Fourteen days after notification the condition shall be considered a violation and shall be subject to appropriate penalties and other remedies as provided for herein and under the laws of the State of New York.

17.1.2 Such notice of violation shall: (1) inform the owner of the nature and details of the condition and the reason why it is a violation, (2) recommend remedial action which if taken will effect compliance with this chapter and other rules and regulations of the city, and (3) state the date by which the violation must be remedied or removed in order to be in compliance with this law.

17.1.3 In the event the violation is not remedied within the time allowed, then the person notified of such violation shall be subject to conviction for a violation as defined by the Penal Laws of the State of New York and shall be subject to a fine of not more than \$250 or by sentence of imprisonment for a period of not more than 15 days, or both. Each week that the violation continues shall constitute a separate offense.

### **Sec. 17.2. Alternative penalty.**

In addition to the foregoing remedies, an action or proceeding in the name of the city may be commenced in any court of competent jurisdiction to compel compliance with or restrain violation of this chapter or orders issued in compliance with this law.

In the case of any violation or threatened violation of any of the provisions of this law, or conditions imposed by the common council or planning board of the city, in addition to other remedies herein provided, the common council may institute any appropriate action or proceeding to prevent such unlawful erection, structural alteration, reconstruction, moving and/or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building structure or land, or to prevent any illegal act, conduct, business or use in or about such premises.