

**NOTICE OF PUBLIC HEARING
TOWN OF BABYLON**

PLEASE TAKE NOTICE, that the Town Board of the Town of Babylon will hold a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 7th day of June, 2023 at 3:00 p.m., prevailing time, to consider amending Chapter 213 (Zoning), Article XVIII (Supplementary Regulations) as set forth in the annexed Exhibit "A".

AMEND as follows:

**CHAPTER 213
ZONING
ARTICLE XVIII
SUPPLEMENTARY REGULATIONS**

§ 213-236. Repair of damaged buildings; registration of vacant buildings; demolition of abandoned and deteriorated buildings
[Amended 9-21-2004 by L.L. No. 27-2004; 10-6-2009 by L.L. No. 22-2009]

The Town Board finds that the proliferation of vacant and abandoned buildings, structures and dwellings in the Town of Babylon causes a deterioration of communities and areas within the Town of Babylon and has a negative impact on the value of property in close proximity to the vacant and abandoned buildings, structures and dwellings. ***

- A. No building or other structure which has been damaged by fire or other causes to the extent of more than 50% of its value, exclusive of foundation, shall be repaired or rebuilt except in conformity with the regulations of this chapter and the Building Code.
- B. Vacant or abandoned buildings, structures and dwellings may not be boarded up, or have the doors, windows, entrances and exits concealed, covered, obscured or hidden in any manner, except in an emergency and then for a period not to exceed 30 days.
- C. Annual registration of vacant buildings and registration fees.

D. Demolition of Abandoned or Deteriorated Buildings

1. Notwithstanding the foregoing, the owner of any building or structure which becomes vacant or abandoned for a period of at least five years, or which becomes dilapidated, deteriorated or decayed from any cause so as to endanger the health, safety, or welfare of the public, shall correct the condition by causing the building to be occupied and/or repairing or demolishing the building or structure. In the event that any such condition is not corrected by the owner, the Town of Babylon shall have the right to demolish the building or structure.
2. Prior to any demolition of a building or structure by the Town, the Chief Building Inspector shall serve a notice to the owner, by certified mail return receipt requested and by regular mail to his, her or its latest address on file with the Town. The notice shall order that the abandoned building shall be occupied and/or that the dangerous structure shall be repaired or demolished, and shall contain a statement that if the owner fails to do so within 30 days from the service of the notice, the Town of Babylon shall have the right to demolish the building or structure and that any and all demolition costs incurred by the Town will be assessed against the property.
3. Such notice shall also set forth the time and place at which a hearing will be conducted by the Town Board during which the owner will be afforded the opportunity to present evidence regarding the conditions described in the aforementioned notice. The hearing shall be conducted no sooner than five days and no later than 20 days after service of the notice unless the Town Board agrees to adjourn the hearing to a later date.
4. If the owner or any person having an interest in the property or structure submits evidence at the hearing, the Town Board shall thereafter make a determination which shall either affirm the initial determination of the Chief Building Inspector, modify the initial determination or vacate the original notice. Unless the original notice is vacated, the Town of Babylon is authorized to demolish the building as provided in the initial notice, provided that more than 30 days has elapsed since service of the notice. Where appropriate, the Town Board is authorized to grant the owner additional time to repair or demolish the building or cause the building to be occupied, in which case the Town shall not demolish the building unless the owner fails to do so within the extended time period.
5. The owner shall be liable and responsible for the Town's costs in demolishing the abandoned or deteriorated building. Such costs may be assessed against the property as a tax payable by the owner in the event such costs remain unpaid more than 30 days after demand for payment has been made by the Town.

Dated: April 26, 2023, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON

