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City of North Tonawanda

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COMMON COUNCIL WORKSHOP AGENDA

August 6, 2026

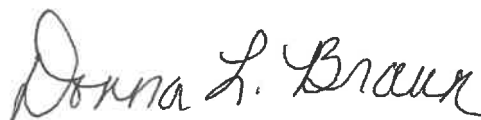
The following meeting has been scheduled for TUESDAY, AUGUST 11, 2026:

6:30 PM Code Maintenance Committee Re: Discussion on Chapter 62 Nuisances

- Common Council

Re: General Discussion

Respectfully submitted,



**Donna L. Braun
City Clerk-Treasurer**

CODE MAINTENANCE COMMITTEE

THOUGHTFUL REVIEW FOR
LONG-TERM IMPROVEMENT.



STAGE 1 – COMMITTEE RECOMMENDATION FOR COUNCIL DISCUSSION

Code Maintenance Committee Recommendation for Council Discussion

Date Submitted: _____ 8/6/2026 _____

Expected Meeting Date: _____ 8/11/2026 _____

Submitted By: Code Maintenance Committee

Purpose

The Code Maintenance Committee has reviewed the sections of City Code(s) listed below and is submitting proposed revisions for discussion and consideration by the Common Council.

Code Sections Under Review

Chapter 62. Nuisances

Attached Documents

The following documents are included for review:

- ✓Original Version of Code Language
- ✓Suggested Changes Version (showing proposed amendments)

RECEIVED
CITY CLERK'S OFFICE

2026 AUG 6 AM 10:13
NORTH TONAWANDA NY

Council Discussion

This submission is intended for Common Council discussion and feedback. No final recommendation has been adopted by the Common Council at this stage.

Mission Statement:

The purpose of this committee is to review the City Code and identify outdated sections, old language, inconsistencies, and provisions that no longer match how the City operates today. Many parts of the code have not been thoroughly reviewed in decades, so the goal is to work through them thoughtfully and make recommendations where updates or clarification may be needed.

This committee's work is separate from the City's consultant-led Zoning Code Update project. While the Zoning Code Update focuses specifically on land use and development regulations, this committee will focus more broadly on the overall City Code, organization, accessibility, and general code maintenance.

~~Include light pollution?~~ - will be included in the Zoning Update - not in this code

§ 62-5. Penalties for offenses.

[Amended 6-15-1993]

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a violation and subject to a fine of not more than \$250 or imprisonment for a period not to exceed 15 days, or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

§ 62-6. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

§ 62-7. When effective.

This ordinance shall take effect immediately.

(Does 62-7 need to be there?)

Include light pollution? - will be included in the Zoning Update - not in this code

§ 62-4. Abatement.

[Amended 6-3-1986]

A. It shall be unlawful for any person, firm or corporation to permit or maintain the existence of any nuisance on any property under theirhis, her or its control. The Building Inspector and Code Enforcement Officer are hereby authorized to notify, in writing, the owner, lessee or agent of the owner or lessee, of the existence of the nuisance and to immediately abate such nuisance. Service of said notice can be made personally or by mail addressed to the last known place of residence as appearing in the records of the City of North Tonawanda of such owner or lessee or agent of such owner or lessee. If the owner, lessee or agent of the owner or lessee fails, neglects or refuses to abate the nuisance within five days from the date of the service of the notice, then the Building Inspector and Code Enforcement Officer are hereby authorized to refer the matter to the City Attorney or City Prosecutor Superintendent of Public Works for purposes of abating the nuisance; and the cost of such abatement, plus \$50 for inspection, and any other additional costs, in addition thereto, shall be certified to the City TreasurerAssessor, and this amount shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected by the City Treasurer in the manner provided for the collection of taxes.

[Amended 4-5-1988; 5-18-1999]

B. In any case where the Chief of Police, the Chief of the Fire Department, the City Engineer or a registered professional engineer authorized by the Common Council to act for or in the place of the City Engineer shall produce a certificate to the effect that a condition determined by the Building Inspector and Code Enforcement Officer to be a nuisance is an immediate and substantial hazard to the public health or safety or to the security of other property, and where the Building Inspector is and Code Enforcement Officer are unable to secure an immediate abatement of the nuisance by the owner of the property, the Building InspectorSuperintendent of Public Works is hereby authorized to proceed to abate such nuisance prior to notification of the property owner and/or expiration of the five-day period otherwise allowed for abatement of the nuisance by the owner of the property, the cost of such abatement and any other additional cost, in addition thereto, being chargeable to the property as hereinbefore described.

C. It shall be the responsibility of the owner or occupant of any premises within the City limits that has sustained a loss due to a fire to clear said premises of all debris within 30 days after an investigation has been completed by the owner or occupant's insurance company or, if no insurance company exists, within 30 days after the completion of a fire investigation by the Chief of the Fire Department. If the owner or occupant of said premises receives a demolition permit from the Building Inspector for said premises damaged by a fire, all cleanup work connected with said demolition shall be completed within 30 days after the date of the issuing of said permit. If the premises is not cleared as per this subsection, then the Building Inspector is and Code Enforcement Officer are hereby authorized to consider said premises a nuisance and to take steps to abate the same.

[Added 7-18-1989]

~~Include light pollution?~~ - will be included in the Zoning Update - not in this code

Chapter 62. Nuisances

[HISTORY: Adopted by the Common Council of the City of North Tonawanda 4-17-1972.

Amendments noted where applicable.]

§ 62-1. Definition.

For the purposes of this ordinance, the term used herein is defined as follows:

NUISANCE

Any act or omission to perform a duty or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located, or which causes or tends to cause any interference with the use and enjoyment of land or any act or omission to perform a duty, which act or omission annoys, injures or endangers the comfort, repose, health or safety of any considerable number of persons; or offends public decency; or interferes with, obstructs or tends to obstruct or renders dangerous for passage a public park, square, street or highway or any other area which is maintained at public expense; or in any way renders a considerable number of persons insecure in life or in the use of property. ~~Construction materials, trash, and debris. This includes but is not limited to the keeping or depositing on or the scattering over the premises of construction materials, trash, and debris. any of the following: lumber, junk, trash or debris; and abandoned, discarded or unused objects or equipment, such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers.~~

§ 62-2. Maintenance of private property.

No person owning, leasing, occupying or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in the manner causing any interference with the use and enjoyment of the other property in the neighborhood in which such premises are located.

§ 62-3. Unwholesome grounds.

[Amended 8-17-1976; 6-3-1986]

It shall be the duty of the owner or occupant of any premises within the city limits, whenever the Building Inspector and Code Enforcement Officer shall declare any unwholesome grounds, yards, cellars, buildings or other place, stagnant or unwholesome water, filth and unwholesome matter, injurious to health, to be a nuisance, to immediately cause the same to be abated; and in case the owner or occupant shall neglect or refuse to do so, the Building Inspector and Code Enforcement Officer shall place the owner of the same on notice and if the same is not abated within five days of the date of service of notice shall refer the matter to the City Attorney or City Prosecutor who would refer it to Code Enforcement Superintendent of Public Works for immediate abatement and recovery of the cost of the same. And the cost of such abatement, plus \$50 for inspection, and any other additional costs, in addition thereto, shall be certified to the City Treasurer, and this amount shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected by the City Treasurer in the manner provided for the collection of taxes.

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