



CITY OF MOUNT VERNON, NEW YORK
DEPARTMENT of PUBLIC WORKS

SHAWYN PATTERSON-HOWARD
Mayor

City Hall
One Roosevelt Square – Room 108
Mount Vernon, NY, 10550
(914) 665-2300 – Fax: (914) 665-2476

DAMANI L. BUSH
Commissioner
JOHN NUCULOVIC
Deputy Commissioner

April 17, 2025

Honorable City Council Members
City of Mount Vernon
Mount Vernon, New York
(Through the Office of the Mayor)

Re: **Amendment to Mount Vernon City Code; Article IX - The Department of Public Works; § 105-B
Abatement of Nuisance**

Dear Honorable City Council Members:

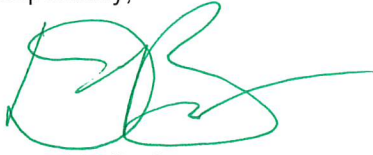
It is respectfully requested that the City Council pass an amendment to the following sub-section in the Mount Vernon City Code: **Article IX – The Department of Public Works; § 105-B Abatement of Nuisance** as follows:

*"Where the owner of the property upon which any accumulations of rubbish and deleterious matter or depression or condition detrimental to health, safety, and general welfare exists [shall] fail to abate, remove or fill in the same within [five days] **forty-eight (48) hours** after written notice so to do has been served upon him either personally or by delivering the same at his last known place of residence, or if he is a nonresident, by mailing the same to him at his last known place of residence, or if the name of the owner or his place of residence cannot be ascertained after due diligence, by posting the same in a conspicuous place upon the premises, the Commissioner of Public Works shall impose a fine/penalty of [no less than \$500 and not more than \$3,000 for each violation] **\$750 for a first offense, \$1,500 for a second offense, \$3,000 for each violation (third or more)** and/or have said rubbish and deleterious matter removed, depressions filled in and conditions abated, either by the Department of Public Works or by hiring a private contractor, subject, however, to the laws pertaining to public bidding. In the event that the Department of Public Works is so employed, it shall, upon completion of the work of such removal, filling in or abatement, send to the owner of the property upon which said work has been done whose name appears on the last assessment roll, a bill for the value of the job done and the expense incurred."*

The purpose of imposing an associated fine structure is to support enforcing city ordinances that optimize the quality of life. Public education and outreach will always be our first step, but enforcement must be established to prosecute chronic violators of the City's ordinances. Other Municipalities are prepared to impose hefty fines and penalties to chronic violators of the abatement of nuisance ordinance. Various factors such as health, environmental impact, infestation, blight, and property values are all effected when we do not address nuisances effectively. The amendment of this ordinance will demand zero tolerance for blighted properties throughout the City.

New Matter
[Deleted Matter]

Respectfully,



Damani L. Bush
Commissioner of Public Works
DB/db

Cc: Law Department DPW Supervisors/Foremen NYS Unified Court System
 Buildings Department File



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DRAFT **LEGAL NOTICE** DRAFT

City Charter, Chapter C, Article IX

§ 105-b Abatement of Nuisance

The Commissioner of Public Works shall have the power to enter upon property, both public and private, and to remove accumulations of rubbish and deleterious matter therefrom, to fill in depressions where water is likely to gather and stagnate, and to abate any other conditions creating or tending to create a condition detrimental to the health, safety and general welfare of the immediate neighborhood or the public at large. Where the owner of property upon which any accumulations of rubbish and deleterious matter or depression or condition detrimental to health, safety and general welfare exists shall fail to abate, remove or fill in the same within forty-eight (48) hours after written notice so to do has been either: (1) served upon him either personally; (2) or by delivering the same at his last known place of residence, or if he be a nonresident, by mailing the same to him at his last known place of residence, or if the name of the owner or his place of residence cannot be ascertained after due diligence; or (3) by posting the same in a conspicuous place upon the premises, the Commissioner of Public Works shall impose a fine/penalty of \$750.00 for a first offense, \$1,500.00 for a second offense, \$3,000.00 for each violation (third or more) and/or have said rubbish and deleterious matter removed and depressions filled in and conditions abated, either by the Department of Public Works or by hiring a private contractor, subject, however, to the laws pertaining to public bidding. Failure to comply with the abatement of aforementioned issue(s) shall result in the imposition of costs carried by the municipality to abate the issue.

IT IS HEREBY ORDERED in accordance with the above code that the issue(s) shall be rectified within 48 hours from date of this document.

CLEANUP/ABATEMENT - QUALITY OF LIFE

known as _____

All person acting contrary to this Order, Removing or Mutilating this notice are **LIABLE TO LEGAL ACTIONS**.

Designated

Date

Commissioner / Deputy Commissioner