

Town of Olive
Resolution #14 of 2016
Initiate Litigation against Maurice Lane Violations in Supreme

WHEREAS, as required by New York State Department of State the Town of Olive adopted Local Law #3 of 2006 Fire Prevention and Building Code Administration and Enforcement on 12/28/2006 which amended Local Law #1 Fire Prevention and Building Construction adopted on 12/3/1988; and

WHEREAS, said local laws are codified as Town of Olive Code §93 Fire Prevention and Building Code Administration and Enforcement; and

WHEREAS, the Code Enforcement Officer and/or Inspector is required as authorized to enforce said New York State Fire Prevention and Building Code also referred to as the Uniform Code, as well as enforce local Zoning laws; and

WHEREAS, as per Town of Olive Code §93 an Order to Remedy Violation was issued by Code Enforcement Officer John Ingram to Maurice Lane, 3852 Route 28, Boiceville, NY 12412 on 12/9/2015 for construction of one (1) double wide mobile home, two (2) large Quonset type buildings, and two (2) large wood frame buildings without obtaining site plan and permits; and

WHEREAS, Ulster County Department of Health in correspondence dated 12/21/15 notified Mr. Maurice Lane that installation of a septic system is in direct violation of code article IV, section 6.4.2 of the Ulster County Sanitary; and

WHEREAS, Code Enforcement Officer John Ingram has been attempting to get Mr. Maurice Lane to cooperate and remedy the myriad of violations on his property as outlined in correspondence dated 6/7/16 from Attorney for the Town Dan Heppner; and

WHEREAS, pursuant to Town of Olive Code §93-15. Enforcement; penalties for offenses, D. Injunctive relief, the Town may institute a proceeding in a court of competent jurisdiction to enforce or abate any violation;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Olive approves the institution of any and all appropriate legal [and equitable] action[s] necessary to address the claimed violations existing at the property of Maurice Lane in Boiceville, NY including but not limited to violations of the State Uniform Code, Ulster County Sanitary Code, Town of Olive Zoning Law and the NYS Uniform Fire and Prevention Code as well as all other applicable laws; and

THEREFORE, BE IT RESOLVED, the Town Board approves the initiation of the aforementioned action to be commenced in the Supreme Court of the State of New York, Ulster County.

AND MOVES ITS ADOPTION

Motion made by:

Seconded By:	Aye	Nay
Sylvia Rozzelle, Supervisor	_____	_____
Drew Boggess, Board Member	_____	_____
Scott Kelder, Board Member	_____	_____
Jim Sofranko, Board Member	_____	_____
Peter Friedel, Board Member	_____	_____

Dated this 12th day of July, 2016

Dawn Giuditta, Olive Town Clerk