



ADOPTED

RES-2026-0467 Resolution of Adoption Enacting Chapter 263, Entitled "Registration of Vacant Buildings."

WHEREAS, the Town Board of the Town of Southampton is considering enacting Town Code Chapter 263 entitled "Registration of Vacant Buildings."; and

WHEREAS, a public hearing was held by the Town Board of the Town of Southampton on February 10 2026, at which time all persons either for or against said amendment were heard; and

WHEREAS, the Department of Land Management has advised the Town Board that this proposed local law is considered a "Type II Action" under 6 NYCRR Part 617.5, provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code, and that no further review under New York Conservation Law, Article 8, is necessary; now therefore be it

LOCAL LAW NO. 7 OF 2026

A LOCAL LAW enacting chapter 263 of the Code of the Town of Southampton.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The Town of Southampton finds that buildings that are left to remain vacant are likely to become both unsightly and unsafe. They quickly cause a negative effect on their surrounding neighborhoods as well as on the entire community. Furthermore, the Town Board finds that vacant and abandoned buildings, structures and dwellings have caused a serious threat to the safety and welfare of the residents of the Town and have eroded the quality of life of all who live and work in the Town. Abandoned and vacant buildings, structures and dwellings are places of infestation of rodents, vermin, insects, wild animals and other health-threatening creatures and diseases, and are an attractive nuisance to children and adults alike. The Town has also identified that a considerable amount of additional time and effort is routinely expended by Town personnel in checking on, and monitoring, these vacant properties due to the aforementioned conditions. This chapter establishes a method for identifying and registering vacant buildings and imposes reasonable responsibilities for property owners.

SECTION 2. Enactment.

Chapter (or section) 263 of the Southampton Town Code is hereby enacted by adding the underlined words as follows:

Chapter 263 Registration of Vacant Buildings

§ 263-1 Finding and purpose.

The Town of Southampton finds that buildings that are left to remain vacant are likely to become both unsightly and unsafe. They quickly cause a negative effect on their surrounding neighborhoods as well as on the entire community. Furthermore, the Town Board finds that vacant and abandoned buildings, structures and dwellings have caused a serious threat to the safety and welfare of the residents of the Town and have eroded the quality of life of all who live and work in the Town. Abandoned and vacant buildings, structures and dwellings are places of infestation of rodents, vermin, insects, wild animals and other health-threatening creatures and diseases, and are an attractive nuisance to children and adults

alike. The Town has also identified that a considerable amount of additional time and effort is routinely expended by Town personnel in checking on, and monitoring, these vacant properties due to the aforementioned conditions. This chapter establishes a method for identifying and registering vacant buildings and imposes reasonable responsibilities for property owners.

§ 263-2 Definitions.

The following terms are hereby defined:

BOARDED BUILDING(S)

A building(s) or structure(s) (including both permitted and unpermitted structures) with a sheet(s) of plywood, wood or similar material(s) in front or in place of one or more exterior doors, other than a storm door, or of one or more windows. The definition shall include all buildings secured by temporary means and measures.

ENFORCEMENT OFFICER

Any law enforcement officer, building inspector, code enforcement officer, ordinance inspector, ordinance enforcement officer, fire marshal, town attorney's office investigator, town investigator, or other person authorized by the Town to enforce the applicable code(s).

EVIDENCE OF VACANCY

Any condition that, on its own or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: broken/open windows and doors, overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash junk or debris; abandoned/junk vehicles, auto parts and/or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool/spa; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents; and/or the presence of boards over doors, windows or other openings in violation of applicable code.

LOCAL AGENT

A designated party who resides, or whose primary, registered, place of business is within the Town of Southampton who is authorized by the Owner to receive notifications in the event of an emergency involving the property, which affects the public health, safety or welfare.

OWNER

Any person or legal entity identified as the property's owner of record in the records of the Town Assessor's Office, or a mortgagee or mortgagor in possession of the property, or an assignee of rents, a receiver, an executor, a trustee, a lessee, or any other person or legal entity in control of the premises. Any such person shall be jointly and severally obliged to comply with the provisions of this chapter.

PROPERTY MANAGER

Any party designated by the owner as responsible for inspecting, maintaining and securing the property as required in this chapter.

UNOCCUPIED BUILDING

A building or portion thereof which lacks the habitual presence of human beings who have a legal right to be on the premises, including buildings ordered vacated by the Town Code Compliance and Emergency Management Administrator and his or her designees. In determining whether a building is unoccupied, the Town Code Compliance and Emergency Management Administrator and his or her designees may consider, but are not limited to, these factors:

A. Whether a lawful residential or business activity has ceased.

B. The percentage of the overall square footage of the occupied space to the unoccupied space, or the number of occupied units to unoccupied units.

C. Whether the building is substantially devoid of contents or whether the value of fixtures or personal property in the building is minimal.

D. Whether the building lacks utility services.

E. Whether the building is subject to a foreclosure action.

F. The duration of the vacancy.

G. The presence or recurrence of code violations.

UNSECURED BUILDING

A building or portion thereof which is open to entry by unauthorized persons without the use of tools or ladders.

UTILITIES AND SERVICES

Any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all Town codes. This includes, but is not limited to, electrical, gas, water, sewer, lawn maintenance, pool maintenance, and snow removal.

VACANT BUILDING OR STRUCTURE(S)

A building, structure, or portion of a building/structure which is:

A. Unoccupied and unsecured;

B. Unoccupied and secured by other than normal means;

C. Unoccupied and an unsafe building as determined by the Town Code Compliance and Emergency Management Administrator or his or her designees;

D. Unoccupied and has multiple housing or building code violations; or

E. Occupied in violation of one or more of the provisions of this section.

§ 263-3 Annual Vacant Building Registration.

A. The owner of every vacant building shall register that building with the Department of Public Safety and Emergency Management, not later than 30 days after the building becomes vacant, or in any case not later than 30 days after receiving notification from the Department of Public Safety and Emergency Management that the building must be registered. The Department of Public Safety and Emergency Management shall have authority to identify vacant buildings through routine inspections as well as by any other reliable source of information that a building may be eligible for inclusion on the registry. The Town shall notify the local police, fire and ambulance of all locations on the registry in the normal course of business.

B. Registration shall be submitted on forms provided by the Department of Public Safety and Emergency Management and shall include the following information:

(1) A description of the premises, including address, block and lot number, and age of the building(s) located thereon;

(2) The name, telephone number, address and email address of the owner;

(3) If the owner does not reside in the Town of Southampton, the name and address of any third party local agent who the owner has contracted with for management of the premises;

(4) If the owner is a corporate entity, including but not limited to a corporation, limited-liability corporation, professional limited-liability corporation, or limited-liability partnership, the name, telephone number, address and email address of an agent responsible for the management or maintenance of the property, at least one active officer, partner and/or member of such entity, the registered address for the entity, and the state in which the entity is registered; If the owner is a Trust, Estate or other entity, the name of the Trustee, Administrator, or other authorized person shall be provided.

(5) The names and addresses of all known lien holders and all other persons with an ownership interest in the premises;

(6) A telephone number where a responsible party can be reached at all times during business and nonbusiness hours.

C. The owner of every vacant building shall submit a vacant building plan, which must meet the approval of the Town Code Compliance and Emergency Management Administrator. The plan, at a minimum, must include the following:

(1) For all vacant buildings:

(a) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan must be submitted for the property, detailing permits that are to be applied for by the property owner. The execution of the rehabilitation plan shall not exceed 90 days unless the Town Code Compliance and Emergency Management Administrator grants an extension upon receipt of a written request from the owner detailing the reasons for any such extension. Any repairs, improvements or alterations to the property must comply with applicable building, zoning and local law requirements.

(b) If the building is to remain vacant, a statement detailing the reasons why the building will be left vacant and for what time period the building will remain vacant, a plan for the securing of the building and the procedure that will be used to maintain the property in accordance with the minimum standards set forth by local law, state building, zoning and code requirements, including, but not limited to, the Uniform Property Maintenance Code.

(c) If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition, along with proof of application for a demolition permit within 30 days.

(2) For all vacant buildings identified as a historic building:

(a) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan is required pursuant to Subsection C(1)(a) above with such plan to further detail and itemize all architectural and historical features including but not limited to: all building materials, including roof, facade, windows and exterior doors. Such plan shall be submitted to the Southampton Town Landmark and Historic District Board pursuant to § 330-5, within 30 days.

(b) If the building is to remain vacant, a statement detailing the reasons why the building will be left vacant and for what time period the building will remain vacant, a plan for the securing of the building and the procedure that will be used to maintain the property as required in Subsection C(1)(b) above with such plan and procedure to further detail how the securing and maintenance will preserve and protect the existing architectural and historic features.

(c) If the building is to be demolished, a statement to such effect shall be provided to the Town Code Compliance and Emergency Management Administrator, and a demolition permit from the Southampton Town Building Permit shall be obtained prior to any/all demolition work on site.

D. The owner shall immediately notify the Department of Public Safety and Emergency Management of any changes in the facts provided on the registration form. If the premises change ownership, the new owner shall file a new registration form within 30 days of the transfer.

E. A registration shall be renewed annually for so long as the building remains a vacant building. Each renewal shall indicate any changes in the information provided since the previous filing. Each renewal shall

also include proof that a fire and safety inspection has been conducted on the premises within 60 days prior to the filing of the renewal.

F. The Department of Public Safety and Emergency Management shall review the registration form and accompanying plan for compliance with local ordinances and state codes. The Department of Public Safety and Emergency Management shall develop, in consultation with the Fire Marshal's Office, a schedule for the periodic inspection of each registered premises. A copy of the schedule shall be given to the owner.

G. Filing of a registration form under this chapter shall not relieve the owner from the obligation to comply with any and all applicable laws.

H. No building shall be removed from the vacant building registry until such time as it is occupied on an ongoing basis consistent with the customary and usual usage for such property as evidenced by a letter is issued by the Town Code Compliance and Emergency Management Administrator stating that the owner has met all requirements of this section; and the property is no longer deemed vacant.

§ 263-4 Fees; liability insurance.

A. The owner(s) of vacant properties shall be responsible to register and pay an annual nonrefundable registration fee as follows: \$250 for residential properties and \$500 for commercial properties vacant for up to one year; \$500 for residential properties and \$1,000 for commercial properties vacant for more than one year and up to two years; \$750 for residential properties and \$1,500 for commercial properties vacant for more than two years and up to three years; and \$1,000 for residential properties and \$2,000 for commercial properties vacant for more than three years. The owner of a boarded building shall pay an additional \$500 annually.

B. A religious organization owning a vacant building shall be exempt from paying the vacant building registration fee.

C. A one-time (one year) fee waiver may be granted by the Town Code Compliance and Emergency Management Administrator upon a written finding of an actual financial hardship for individuals who have purchased a property for use as their own primary dwelling unit, pursuant to an income qualified loan program administered by The office of Housing and Community Services or if the property has suffered damage from a fire, emergency or documented natural disaster as described in 263-5-A.

D. The owner of every registered vacant building shall acquire or otherwise maintain liability insurance in an amount of not less than \$300,000 for buildings designated primarily for residential use and not less than \$1,000,000 for any other building, including, but not limited to, buildings designated for manufacturing, industrial storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. Such insurance policy shall provide for written notice to Department of Public Safety and Emergency Management, within 30 days, of any lapse, cancellation or change in coverage. Proof of the required insurance shall be submitted with the vacant building registration, annual renewals, and upon request by the Town Code Compliance and Emergency Management Administrator.

E. One vacant building registration may be filed to include all vacant buildings situated upon a single property of an owner so registering. The fee shall apply to the property upon which the buildings are situated. A separate fee need not be paid for each building upon a single property.

F. Delinquent registration fees as a lien.

(1) After the owner is given notice of the amount of the registration fee due, except for those owners that have properly perfected an appeal as provided above, and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the Town.

(2) Duty to amend registration statement. If the status of the registration information changes during the course of any calendar year, it is the responsibility of the owner, responsible party or agent for the same to contact the Town within 30 days of the occurrence of such changes and advise the Town in writing of those changes.

(3) Exceptions. This section shall not apply to any building owned by the United States, the state, the county, nor to any of their respective agencies or political subdivisions.

§ 263-5 Exemptions from registration requirements; waivers.

A. A building which has suffered fire damage, damage caused by documented extreme weather conditions, or damage caused by another type of emergency that called for a documented emergency response from the police department and/or fire department , shall be exempt from the registration requirement for a period of 90 days after the fire or extreme weather event if the property owner submits a written request for exemption with the Department of Public Safety and Emergency Management. The written request shall include the following information supplied by the owner:

(1) The description of the premises, including address, block and lot number;

(2) The description of the damage sustained to the building and the cause of such damage;

(3) A statement of intent to repair and reoccupy the building in an expedient manner or the intent to demolish the building;

B. Any property upon which a building permit has been received and is actively developed shall be exempt from the registration requirement for a period of 180 days upon issuance of an exemption by the Department of Public Safety and Emergency Management. The exemption may be extended upon written request submitted to the Office of Code Administration for a period not to exceed an additional 180 days.

§ 263-6 Inspections; reports.

A. The Department of Public Safety and Emergency Management shall have authority to inspect any premises in the Town that has a vacant building or structure situated within it. The Department of Public Safety and Emergency Management shall have authority to inspect all registered vacant buildings.

B. The Department of Public Safety and Emergency Management shall submit an annual report, no later than December 15 of each year, to the Town Board, identifying all buildings declared vacant under the provisions of this chapter, the date upon which all such buildings were declared vacant, whether the building has been duly registered and whether the owner has filed a vacant building plan as required herein. Such list shall be published on the Town website, and shall include contact information for the owner or a local agent. The Town's website list shall be updated annually.

§ 263-7 Procedures of the Fire Marshal; records.

A. The Fire Marshal's Office shall establish a written operations procedure for vacant buildings for the purpose of reducing the risks to firefighting personnel and to the public during fire suppression operations. Such procedure may include a system of markings to be placed by the Fire Marshall on the exterior of the building to indicate specific safety concerns therein. A copy of the operations procedure shall be given to the owner of each registered vacant building, and said owner shall sign a statement indicating that he or she has received a copy of the procedure.

§ 263-8 Penalties for offenses.

A. Any person who violates any provision of this chapter shall be guilty of an unclassified misdemeanor and shall, upon conviction, be subject to the imposition of a fine in not exceeding \$1,000 or by imprisonment for a term not exceeding 15 days, or both, for each violation.

B. In addition to any fines imposed, anyone convicted pursuant to this section shall be required to pay a mandatory blight mitigation surcharge of \$100. The blight mitigation surcharge shall be paid to the clerk of the court or administrative tribunal that rendered the conviction. Within the first 10 days of the month following collection of the mandatory surcharge, the collecting authority shall then pay such money to the Town Comptroller, who shall deposit such money in accordance with the provisions of § 8-6.1A of the Code.

C. Each day on which a continuing violation exists is considered to be and may be charged separately as an individual offense.

§ 263-9 Construction with other authorities.

Nothing in this chapter shall be construed so as to supersede or limit the lawful authority of the Police Department, the Fire Department, Fire Marshal, any code enforcement officer, ordinance enforcement officer, or building inspector from taking immediate action to make safe any building or structure, or part thereof, that endangers the health, safety and welfare of any person or of the public.

SECTION 3. Authority.

The Town Board may adopt local laws providing for violations of ordinances pursuant to NYS Town Law§135, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(1)(ii)(d)(3).

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish and post the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE, that after a public hearing was held by the Town Board of the Town of Southampton on February 10, 2026, the Town Board, at its meeting of March 10, 2026, adopted Local Law No. 7 of 2026 as follows: "**A LOCAL LAW** Enacting Town Code Chapter 263 entitled "Registration of Vacant Buildings."

Copies of this local law, sponsored by Councilwoman McNamara and Councilman Pell, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact

None