

operation of outdoor wood burning stoves. As long as the stove was installed according to the ordinance and the stove is being operated according to the ordinance, the Town Board does not have the legal authority to become involved in this private dispute. The remedy for the individual property owner would likely be a civil action between the two property owners, not involving the town. If the ordinance is not being followed, then the town has authority to enforce the ordinance only. It would not have authority to address the private issues between the property owners.

Removal or moving of survey stakes from property lines

Question: I had my property surveyed and my neighbor removed some of the survey stakes. Can't the town board do something about that for me? **Answer:** There is no statute which provides the Town Board with any authority over survey work. This is a private dispute between neighbors and the Town has no legal ability to spend taxpayer money to resolve a private dispute. The remedy would be a private civil action between the two neighbors. In addition, there may be a criminal statute which was violated by removing the stakes. That violation would be prosecuted by the District Attorney as a criminal matter.