

VILLAGE OF SHORTSVILLE
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW NO. 3- 2024

PLEASE TAKE NOTICE, that a public hearing will be held at the Shortsville Village Hall, 6 East Main Street, Shortsville, New York, on the 14th day of August, 2024, at 5:45 o'clock in the afternoon to consider the adoption of Local Law No. 3-2024 entitled:

A LOCAL LAW TO ADD CHAPTER 62 TO THE VILLAGE CODE ENTITLED LOT AND PROPERTY MAINTENANCE: BRUSH, GRASS, AND WEEDS

The proposed Local Law No. 3- 2024 is on file in the Office of the Village Clerk of the Village of Shortsville where the same may be inspected during office hours.

ALL PERSONS INTERESTED and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

BY ORDER OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF
SHORTSVILLE

Amy J. Alexander,
Shortsville Village Clerk

Local Law No. 3 of 2024
Village of Shortsville, County of Ontario

**A LOCAL LAW TO ADD CHAPTER 62 TO THE VILLAGE CODE ENTITLED LOT
AND PROPERTY MAINTENANCE: BRUSH, GRASS, AND WEEDS**

Be it enacted by the Board of Trustees of the Village of Shortsville as follows:

Section 1. Village Code Amended to Add Chapter 62

The Village of Shortsville Code is hereby amended to add Chapter 62, entitled “Lot and Property Maintenance: Brush, Grass and Weeds.” The proposed chapter is annexed hereto.

Section 2. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 3. Effective Date

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

CHAPTER 62. LOT AND PROPERTY MANTAINENCE: BRUSH, GRASS, AND WEEDS

The Village of Shortsville Code is hereby amended to add Chapter 62, entitled “Lot and Property Mantainence: Brush, Grass and Weeds.” Said Chapter is as follows:

§62-1 Title.

This chapter shall be known and may be cited as the “Lot and Property Maintenance: Brush, Grass, and Weeds Law of the Village of Shortsville.”

§62-2. Purpose and Intent

The purpose of this chapter is to control the spread of weeds to surrounding lots and the spread of allergy-irritating pollen to adjoining lots, to protect property values, to prevent blight and the spread thereof and to ensure village wide, uniform yard maintenance standards that will promote the health, safety and general welfare of the residents and business owners in the Village of Shortsville, their employees, patrons, guests and invitees and any travelers within the Village of Shortsville.

§62-3. Definitions

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and words used in the plural number include the singular, unless the context indicates the contrary. The word "shall" is always mandatory. The word "may" is permissive.

The following words shall have the following definitions:

IMPROVED LOT Any lot of parcel of land on which is located a dwelling house or business occupied or unoccupied

§62-4. Required Property Maintenance

A. The owner of every improved lot within the Village of Shortsville shall maintain such lot to ensure that no growth of weeds or grass shall exceed 10 inches in length or height and to ensure that there is no accumulation of dead weeds, grass or brush.

B. The owner of every improved lot within the Village of Shortsville shall maintain such lot to ensure that all hedges, bushes and trees are kept trimmed and free from becoming overgrown and unsightly where exposed to public view or where the same may constitute a blighting factor thereby depreciating adjoining property.

C. It is prohibited to allow hedges, shrubs or trees to encroach onto public sidewalks and lines of sight of public highways.

D. Sidewalks and streets shall remain free of cut grass, weeds and brush.

§62-5. Administration and Enforcement

The Code Enforcement Officer is hereby charged with the responsibility and duty to administer and enforce this chapter.

Abatement of violations.

A. If the provisions of the foregoing sections are not complied with, the Code Enforcement Officer shall serve, by regular, first-class mail, written notice upon the owner, occupant or any person having control of any such lot or land of such violation of this chapter and which advises such owner, occupant or person having the control of any such lot or land to comply with the provisions of this chapter within 10 days of the date such notice of violation is mailed.

B. If the person upon whom the notice is served fails, neglects or refuses to cure the violation within 10 days of the date such notice is mailed, or if no person can be found in the Village of Shortsville who either is or claims to be the owner of such lot or land or who either represents or claims to represent such owner, the Code Enforcement Officer shall cause such weeds, grass and other vegetation on such lot or land to be cut and removed, and the actual cost of such cutting and removal plus a service charge of 50% thereof to cover the cost of supervision and administration shall be certified by Code Enforcement Officer to the Village of Shortsville and such certified amount shall thereupon be charged and assessed against the owner of the property that was subject to the violation. The expense, so assessed, 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 in the same manner and at the same time as other Village taxes and charges.

C. The owner, occupant or any person having control over any lot, land or property found in violation of this chapter shall be notified, in writing, only once in any given year for a particular violation. Subsequent violations of similar nature at the same location during the same year shall be corrected by the Village or its agent without notice to the owner of said property. After initial notification, such owner, occupant or person having control of said property will be presumed to have been given sufficient notice of infraction for the entire season. The costs incurred by the Village in curing any subsequent violations shall be collected in the same manner as set forth in Subsection B of this section.