

## Chapter 141

### PROPERTY MAINTENANCE

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[HISTORY: Adopted by the Board of Trustees of the Village of Sodus Point 8-21-1997 by L.L. No. 3-1997, amended in its entirety 9-18-2003 by L.L. No. 2-2003. Subsequent amendments noted where applicable.]

#### GENERAL REFERENCES

Nuisances-See Ch. 127.

#### § 141-1. Title.

This chapter shall be known and may be cited as the "Yard Maintenance Law of the Village of Sodus Point."

#### § 141-2. Purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare, and to maintain property within the Village of Sodus Point in a safe, healthy and aesthetically pleasing manner.

#### § 141-3. Definitions.

As used in this chapter, the following words, phrases and terms shall have the following meanings:

DISASSEMBLED, IN OPERABLE, JUNKED OR WRECKED MOTOR VEHICLES, TRUCK BODIES, TRACTORS, TRAILERS - Motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or of being operated upon the public streets or highways.

JUNK - Worn out or discarded material of little or no value, including but not limited to household appliances or parts thereof, tools, discarded building materials, garbage, discarded furniture or any other unsightly debris, the accumulation of which has an adverse effect upon neighborhood or Village property values, health, safety or general welfare.

LAWN - Land covered with grass kept closely mowed, especially around a house.

MOTOR VEHICLE - As defined in § 125 of the New York State Vehicle and Traffic Law; unlicensed motor vehicles, truck bodies, tractors or trailers; motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates.

NOXIOUS WEEDS AND GROWTH - Grass, brush, rubbish or weeds of a nature which is a fire or health hazard, including lawns in excess of ten inches in height.

PERSONS - Any person, firm, partnership, association, corporation, company or organization of any kind. "Persons" shall also include the occupant of the parcel of land.

**§ 141-4. Storage or accumulation of inoperable vehicles.**

A. Restricted. No person shall accumulate, store or allow any disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers or other motorized machines outside on any portion of their property within the Village of Sodus Point for a period exceeding 72 hours. Residents expecting to repair, rebuild or reassemble any motorized machine shall do so in an enclosed area as to provide aesthetic pleasure for neighboring lots and other residents.

B. Exceptions. Any business engaged in automotive sales or repair located in a properly zoned district may retain no more than three disassembled or wrecked vehicles in the open for a period of not to exceed 30 days, after which such vehicles shall be removed. Also excepted shall be properly zoned, permitted and licensed junkyards established pursuant to § 136 of the General Municipal Law.

**§ 141-5. Storage of unlicensed vehicles.**

A. Restricted. No person shall accumulate, store or allow more than one unlicensed motor vehicle, truck body, tractor or trailer in the open upon any public or private property within the Village for a period exceeding 72 hours.

B. Exceptions: any business engaged in the sale, repair or storage of such unlicensed vehicles.

**§ 141-6. Storage of boats.**

Boat storage shall comply with all sections of this chapter as well as those listed within §190. The following is considered to be mandatory;

A. Restricted. No person shall accumulate, store or allow more than two boats in the open upon any public or private property within the Village for a period exceeding 72 hours. Boats, must be 5 feet from adjacent structures.

B. Exceptions: any business engaged in the sale, repair or storage of boats and of which is properly licensed and zoned to do so. Dry stack storage shall be done so with the requirements of the Uniform Code and §119.

**§ 141-7. Noxious weeds or growth prohibited.**

No person shall maintain, plant or permit to remain on any private property any noxious weeds or growth totaling more than 10 inches in height.

**§ 141-8. Complaints.**

Complaints concerning any violation of this chapter shall be made in writing and filed with the Building Inspector for the Village of Sodus Point, who shall immediately cause an investigation to be made with respect thereto and the written report of such investigation filed with the Clerk of the Village.

**§ 141-9. Notice.**

If, after such investigation, it appears that there is a reasonable basis to believe that any of the provisions of this chapter have been violated, the Building inspector shall immediately cause a notice in writing to be served upon the owner or occupant of the property. Such notice shall set forth the nature of the complaint and shall direct the owner or occupant to remove said noxious weeds and growth, junk, motor vehicles or boats. The notice required under this chapter shall be served upon the owner, his executors, legal representatives, agent, lessee or any other person having a vested or contingent interest in such premises as shown by the records of the Town Assessor or of the Wayne County Clerk. Service shall be made either personally or by registered or certified mail, addressed to the last known address, if any, of the owner, his executors, legal representative, agent, lessee or other person having a vested or contingent interest in such premises as aforesaid identified. If service is made by registered or certified mail, a copy of the notice shall be posted on the premises. The notice shall contain the following:

- A. Tax Map ID #;
- B. Property Owner, their executor, legal representative, agent, lessee or other person having vested or contingent interest in such premises as aforesaid identified;
- C. The address of the property;
- D. The violation observed;
- E. Sections of Uniform Code, and local law violations;
- F. Any photos depicting the violations; and
- G. A date to remedy by.

**§ 141-10. Inquiry by Village Board.**

Any person feeling aggrieved by any such action or notice may, within three days after the receipt of such notice, demand the matter is inquired into by the Village Board. Such demand must be in writing, signed by the person seeking such inquiry, and filed with the Village Clerk. Within a reasonable time, the Village Board shall schedule a date, time and place for a hearing before the Village Board in which the aggrieved person may address the Village Board. Such hearing shall be scheduled not less than five business days from the date of service of the notice.

**§ 141-10. Failure to comply.**

In the event of the refusal or neglect of the person so notified to comply with said order of the Village Board and after the hearing, the Village Board shall provide for the removal of the junk, motor vehicle or noxious weeds or growth, as the case may be, either by Village employees or by contract, and the total cost thereof including an administration fee, as stated within the fee schedule, shall be assessed upon the real property upon which the motor vehicle, junk or noxious weeds and growth are found, and shall

constitute a lien and charge upon the real property on which it is levied until paid or otherwise satisfied or discharged, and shall be collected by the Village Treasurer in the manner provided by law for the collection of real property taxes.

