

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Goshen

Local Law No. 4 of the year 2013

A local law to amend Chapter 10 of the Code of the Village of Goshen by the addition of Article V:

(Insert Title)
Property Maintenance

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Goshen as follows:

See Attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Chapter 10 of the Code of the Village of Goshen is hereby amended by the addition of the following:

ARTICLE V

PROPERTY MAINTENANCE

§10-91. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON – Includes one or more natural persons, corporations, partnerships, associates, joint-stock companies, societies and all other entities of any kind.

§10-92. Excessive growth prohibited.

It shall be unlawful for any owner or person having control or ownership of any type of tenancy of occupied or unoccupied land or any part thereof in the Village of Goshen to permit or maintain on any such land or portion thereof or along the street, road, sidewalk or alley adjacent to the land or portion thereof between the property line and the pavement of the road or middle of an alley any growth of weeds, grass or other rank vegetation to a greater height than 12 inches on the average of any accumulation of dead weeds, grass or brush.

§10-93. Snow removal required.

It shall be unlawful for any owner or person having control or ownership of any type of tenancy of occupied or unoccupied land or any part thereof in the Village of Goshen to permit or allow snow and or ice to remain on the sidewalk adjacent to such premises for longer than twenty four (24) hours following the conclusion of any weather event depositing said snow or ice on the said sidewalk.

§10-94. Duty of owner or occupant.

It shall be the duty of every owner, tenant or person in control of land or any portion thereof in the Village of Goshen to cut and remove or cause to be cut or removed from said property all weeds, grass or other rank, poisonous or noxious vegetation as often as may be necessary as well as remove said snow or ice within the time period set forth hereinabove so as to comply with the provisions of §10-92 and §10-93.

§10-95. Inspection; removal by Village.

Within 15 days after the certified mailing of written notice, the Village Code Enforcement Officer shall make an inspection and shall cause such snow or ice or weeds, grass and other vegetation on such lands or portion thereof to be cut and

removed. The Village Code Enforcement Officer shall have authority to direct the Village Department of Public Works or any vendor or contractor approved by the Village Board, to remove said snow or ice and or cut and remove said grass, weeds or other vegetation. The actual cost of snow or ice removal or the actual cost of cutting and removal, plus a twenty-percent fee for inspection and administrative overhead therewith, shall be certified by the Village Code Enforcement Officer to the Village Clerk and shall thereupon become and be a lien upon the property on which said weeds, grass and other vegetation were located and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes levied and assessed against such property.

§10-96. Exceptions.

The provisions of this chapter shall not apply to land being used for agrarian/agricultural purposes.

§10-97. Penalties for offenses.

Any such person who shall neglect to cut and remove weeds, grass or other vegetation as directed in this chapter or who shall fail, neglect or refuse to comply with the provisions of any notice herein provided or who shall resist or obstruct the removing of weeds, grass and other vegetation shall, upon conviction thereof, be subject to a fine of up to \$250, imprisonment for next to exceed 15 days, or both, and each day on which such violation continues shall constitute a separate offense.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2013 of the (County)(City)(Town)(Village) of Goshen was duly passed by the Village Board on July 22 2013, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Margaret H. Strob

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 23, 2013

(Seal)

