

§ 87-1. Title.

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

§ 87-2. Purpose & Intent.

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 in a safe, healthy and aesthetically pleasing manner. The Board of Trustees of the Village of Sodus has found it necessary to ensure that lots and properties within the Village of Sodus are properly maintained and free of vermin, nuisances, hazards, litter, noxious weeds, and growth to guarantee the rights of others within the neighborhood, district and the community as a whole to enjoy property without concern for general nuisances.

§ 87-3. Definitions.

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

COMMERCIAL PREMISES – Any building, structure, or land used for any purpose other than for single-family or multi-family domiciling, including premises used for retail, commercial or industrial purposes in all zones.

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, or in the case of watercraft within the confines of a waterway or body of water.

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 § 125of 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.

MULTI-FAMILY PREMISES – Any building that is used as a home or residence other than a single-family residence, together with any garage or other accessory building, and the lot upon which such building or buildings are constructed.

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

NUISANCE, HAZARD AND LITTER – Undesirable, harmful, or dangerous materials including but not limited to, waste metal or materials; garbage, refuse or rubbish; old refrigerators, washing machines, or other household appliances; electronic waste such as televisions, personal computers, telecommunications equipment or similar products; glass; wood and lumber; tires; weeds, such as pigweed, poison ivy, or other poisonous weeds or plants; tall grass, weeds, and brush that may pose a fire hazard or conceal other hazardous conditions; abandoned or inoperable vehicles; building or construction materials; discarded papers, cardboard, or plastic; feces; or matter attractive to vermin, offensive to the senses, or likely to breed disease, promote fire, or be prejudicial to good health and safety.

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

SINGLE-FAMILY RESIDENCE – A building which is occupied exclusively as the home or residence of a single family unit, together with any garage or other accessory building and the lot upon which such building, buildings, is constructed.

VERMIN – Uncontrolled and undesirable creatures, including but not limited to, bears, coyotes, feral cats, feral dogs, frogs and other amphibians, hornets and other stinging insects, mice, rats and other rodents, mosquitoes, snakes and other reptiles, or any other animal likely to pose a threat to the safety and health of humans and pets.

§ 87-4. Prohibited storage or disposal.

No person shall be permitted to abandon, leave, dump, store, or keep any nuisance, hazard, litter, or matter likely to attract vermin, breed mosquitoes, or spread disease upon any public street, public place, or on any privately owned property within the Village of Sodus; and said property shall be kept free and clear of the same.

§ 87-5. 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, watercraft or other motorized machines outside on any portion of their property within the Village of Sodus for a period exceeding 72 hours. Residents expecting to repair rebuild or reassemble any motorized machine shall do so in an enclosed area, and shall cover said vehicles until a time of which repairs can transpire, as to provide aesthetic pleasure for neighboring lots and other residents.

B. Exceptions. Any business permitted to do so as per § 112-5.

§ 87-6. 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. Restricted. No person shall accumulate, store, or allow any unlicensed motor vehicle, truck body, tractor, trailer, watercraft or recreational vehicle in the open upon any public or private property within the Village of Sodus for a period exceeding 72 hours without a fitted cover or otherwise appropriate cover. The use of cloth or plastic tarps is strictly prohibited.
- C. Exceptions: Any business permitted to do per §112-5.

§ 87-7. Storage of boats.

Boat storage shall comply with all sections of this chapter as well. 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 all adjacent structures and property.
- 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.

§ 87-8. Noxious weeds or growth prohibited.

- A. No person shall maintain plant or permit to remain on any private property any noxious weeds or growth totaling more than 6 inches in height.
- B. The area between the property line and the curb, or for ten feet outside the property line if there is no curb, shall be maintained to ensure that no growth of weeds, grasses, or flowers shall exceed six inches on average. This area shall also be maintained to eliminate any accumulation of dead weeds, grasses, or brush.
- C. Any area established as a flower garden, garden, or natural area of wildflowers must be clearly defined by the utilization of fencing, mulching, or other form of delineation and shall be located no closer than ten feet from any public roadway, street, or right-of-way.
- D. It is prohibited to allow hedges, shrubs, or trees to encroach onto public sidewalks, roadways, or lines of sight for public roadways.
- E. No person shall cause or allow the accumulation of any noxious weeds or growth, including raked leaves and lawn clippings; brush; gravel; stone; dirt; or other material to be deposited in whole or in part on any public sidewalk or roadway.

§ 87-9. Fences and retaining walls.

Fences and retaining walls shall be maintained in good repair and condition.

§ 87-10 Private parking spaces, lots, and drives.

All private parking spaces, parking lots, driveways and likeness there of shall be kept in a state of good repair. At no time shall any person allow for said places to become deteriorated or have pot holes which may cause a danger to visitors and general public. A parking space, lot, driveway or likeness thereof shall be considered dangerous when any of the following conditions exist:

1. Pot holes in excess of 6 inches wide and or 2 inches deep;
2. Noxious weeds or growth in any portion there of beyond that which allowed by this section;
3. Cracked pavement making for uneven transitions greater than 6 inches;
4. Blacktop which has lost all structural integrity and gravel base below is now exposed;
5. Transitions to public roadways, sidewalks or other public surfaces that are uneven and may cause a tripping hazard.

§ 87-11. Complaints.

Complaints concerning any violation of this chapter shall be made in writing and filed with the Building Inspector for the Village of Sodus, 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.

§ 87-12. 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 only once per year all subsequent violations thereafter will result in immediate resolution of compliance. 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.
- H. Administrative fees if applicable.

§ 87-13. 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.

§ 87-14. Failure to comply.

- A. 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.
- B. A second violation for the same or subsequent offense within a calendar year will result in immediate action with no notification from the Village of Sodus. Said action will result in an administrative fee as state in the fee schedule.