

(Please Use this Form for Filing your 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 of Tannersville
~~Town~~
Village

Local Law No. 2 of the year 19 83

A local law UNMOWED FRONTGAGE LAW
(Insert title)

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

County
City of Tannersville as follows:
~~Town~~
Village

Section 1. PURPOSE. Tall grass and weeds within a close proximity to all highways, curbs and streets within the Village of Tannersville pose a threat to the public health, safety and general welfare of the residents of this Village. Such tall grass and weeds creates a fire hazard when coupled with the possibility of lit matches and cigarettts being tossed by passing pedestrians and motorists. Such tall grasses and weeds are also aesthetically unattractive to both residents and those traveling to our resort community. It is the purpose of this local law to provide for the health protection, safety and general welfare of persons and property within the Village of Tannersville by requiring that tall grass and weeds be cut to a safe and reasonable height.

Section 2. TITLE. This local law shall be known as "Unmowed Frontgace Law" of the Village of Tannersville.

Section 3. DEFINITIONS.

(a) Highways, roads and streets shall mean all streets and roadways for the passage of motor vehicles including but not limited to all of the designated streets of the Village of Tannersville, New York, State Route 23A as it passes through the Village, and all Town highways and County roads that pass through the Village.

Section 4. REGULATION. All owners of parcel of real property which front on any highway, road or street as herein defined shall cause tall grass and weeds growing on said parcels, within 50 feet of the edge of the public sidewalk further from the paved highway, or if there be no such sidewalk, from the shoulder of the highway, road, street pavement abutting the parcel, to be cut to a height not to exceed nine (9) inches.

Section 5. COMPLIANCE. Upon receipt of information that grass or weeds have grown to a height to exceed nine(9) inches in an area described in Section 4, the Village Board shall order the Village Superintendent of Highways to investigate such information and to report his findings in writing to the Village Clerk. If such written report contains a finding that the grass or weeds complained of exceed the height of nine (9) inches, the Village Clerk shall then cause a notice containing the following information to be sent by certified mail, return receipt requested to the landowner, executor, administrator, agent, lessee or other persons having vested or contingent interest in said parcel as shown by the records of the tax collector of the Village or of the County Clerk to his last known address as shown in the above records; said notice shall contain the following:

(If additional space is needed, please attach sheets of the same size as this and number each)

- (a) A description of the premises as it borders the highway, road or street;
- (b) A statement that the grass and weeds in the areas set forth in Section 4 exceeds the limitations set therein;
- (c) A statement that the recipient shall cause said grass or weeds to be cut within seven (7) days of the receipt of said notice;
- (d) A statement that in the event that the non-compliance or the refusal of the persons so served with the notice to comply the Village of Tannersville shall cause the area set forth in Section 4 to be cut and the expenses of giving said notices and cost of cutting the grass and weeds shall be a lien upon and against the property of which it is a portion.

Section 6. ENFORCEMENTS. If the landowner, its agent or assign, lessee or other person in possession of said parcel has not complied with the notice sent within the seven (7) days of its receipt, the Village Clerk shall inform the Village Superintendent of Highways. The Village Superintendent of Highways shall then cause an employee of the Village to cut the grass and weeds in the area complained to be unsafe and to cut said grass and weeds to a safe and reasonable height; or said cutting may be contracted to private contractor.

Section 7. ASSESSMENT. All expenses incurred by the Village in connection with the proceedings herein including the actual cost of cutting the grass and weeds shall be a lien upon and assessed against the parcel of which it is a portion and shall be levied and collected in the same manner as provided in Section 4-414, 5-516, 5-518 and 22-2200 of the Village Law for the levy and collection of special ad valorem levy.

Section 8. EXCEPTION. The Village Board may remove from the purview of this local law areas in which compliance would cause undue burden or hardship.

Section 9. SEVERABILITY. Each section of this law shall be deemed separate and severed from the others in the event that one section is declared unconstitutional, the other shall remain in full force and effect.

Section 10. EFFECTIVE DATE. This local law will take effect immediately upon the filing thereof in the Office of the Secretary of State.