

# Local Law Filing

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**APR 07 2014**

**DEPARTMENT OF STATE**

County  
City of Central Square  
Town  
Village

Local Law No. 1 of the year 2014

A local law Repealing Chapters 144, 178 and 186 of the Village of Central Square Code and  
*(Insert Title)*  
Enacting a new Chapter 178 "Property Maintenance"  
\_\_\_\_\_  
\_\_\_\_\_

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

County  
City of Central Square as follows:  
Town  
Village

A local law providing for the enactment of a new Chapter 178, entitled "Property Maintenance," to the Code of the Village of Central Square, which provides for and ensures the proper use of property, to prevent the unsafe, hazardous or dangerous conditions upon property in the Village, and to additionally consolidate the provisions of the Code of the Village of Central Square dealing with property maintenance and found in Chapter 144, entitled, "Junked Vehicles and Debris, Storage of," Chapter 186, entitled "Refrigerators, Abandoned," and the existing Chapter 178, entitled "Property Maintenance," which provisions are included in substance within the new Chapter 178, "Property Maintenance."

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

SECTION 1. The Code of the Village of Central Square is amended by repealing, in its entirety, Chapter 144, entitled "Junked Vehicles and Debris, Storage of," adopted as Local Law 3-2000.

SECTION 2. The Code of the Village of Central Square is amended by repealing, in its entirety, Chapter 178, entitled "Property Maintenance," as last amended by Local Law 3-2006 on March 6, 2006.

SECTION 3. The Code of the Village of Central Square is amended by repealing, in its entirety, Chapter 186, entitled "Refrigerators, Abandoned," adopted as Local Law 1-1983.

SECTION 4. The Code of the Village of Central Square is amended by adding a new Chapter 178, entitled "Property Maintenance," to read as follows:

#### Chapter 178. Property Maintenance

##### Article I. General Provisions

###### § 178-1. Title.

This chapter shall be known as the "Property Maintenance Code of the Village of Central Square" and may be referred to in the short form as the "Property Maintenance Code."

###### § 178-2. Legislative findings and determination.

1. The Board of Trustees of the Village of Central Square hereby finds that the outdoor storage, accumulation, deposit or placement of abandoned, junked, discarded, wholly or partially dismantled or unlicensed or unregistered motor vehicles, rubbish, debris, solid waste, or high grass, weeds and brush upon private property threatens the health, safety and welfare of Village residents. Outdoor storage, accumulation, deposit or placement of such items creates a significant fire hazard, endangers the environment and groundwater, leads to infestation by insects, vermin or rodents, depreciates property values, and has a deteriorating and blighting effect upon the neighborhood and community.

2. The Board of Trustees hereby determines that the outdoor storage, accumulation, deposit or placement of: abandoned, junked, discarded, wholly or partially dismantled or unlicensed or unregistered motor vehicles, rubbish, debris, solid waste, or high grass, weeds, and brush upon private property constitutes a public nuisance.

###### § 178-3. Applicability.

Every residential and nonresidential structure and the premises on which they are situated or any vacant lot in the Village used or intended to be used for dwelling, commercial, business or industrial occupancy shall comply with the provision of this chapter, whether or not such structure shall have been constructed, altered or repaired before or after the enactment of this chapter and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the structure or for the installation or repair of equipment or facilities prior to the effective date of this chapter.

###### § 178-4. Stricter standards to prevail.

The provisions of this chapter shall be in addition to, and in furtherance of, the New York State Property Maintenance Code. In any case where the provisions of this chapter impose a stricter standard than that set forth in any other law of the Village or under the laws of the State of New

York, then the standards as set forth herein shall prevail, but if the provisions of this chapter impose a less stringent standard than any other law of the Village or under the laws of the State of New York, then the stricter standard contained in any such other law shall prevail.

§ 178-5. Definitions.

As used in this chapter , the following terms shall have the meanings indicated. All other terms as used in this chapter shall have their common and ordinary meaning.

**ABANDONED, JUNKED OR UNLICENSED VEHICLE**

Any motor vehicle, whether automobile, bus, trailer, truck, tractor, motor home, motorcycle, mini-bicycle, all-terrain vehicles, or snowmobile, or any other device originally intended for travel on the public highways, which is:

(1) Unregistered, old, wrecked, stored, discarded, dismantled or partly dismantled and which is not intended or in any condition for legal use upon a public highway.

Any vehicle, including any motor vehicle and any other device in, upon or by which a person or property may be transported or drawn on a street, including but not limited to trailers and camper shells or junked trailer bodies but excluding devices moved by human power, that exhibits one or more of the following conditions: unregistered, wrecked, partially or fully dismantled, abandoned, stripped, inoperative, inoperable, scrapped, or unable to be safely operated; or

(2) Being held or used for the purposes of resale of used parts therefrom or for the purpose of reclaiming for use some or all of the materials therein for the purpose of disposing of the same; or

(3) In such condition as to cost more to repair and place in operating condition than its reasonable market value at that time before such repair: or

(4) Any motor vehicle not required to be licensed or not usually used on public highways that has remained unused for more than one year and is not in condition to be removed under its own power.

This definition does not affect motor vehicles stored at a property that comply with applicable licensing requirements, such as repair garages, salvage yards and similar establishments.

**BRUSH**

Uncultivated woody shrubs and/or immature trees.

**DEBRIS**

Includes all materials resulting from the construction, excavation, renovation, equipping, remodeling, repair or demolition of structures, property or roads as well as materials consisting of vegetation resulting from land clearing and grubbing, utility line maintenance and seasonal and storm-related cleanup. Such materials include but are not limited to bricks, concrete and other masonry material, soil, rock, wood, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles, asphaltic pavement, glass, window frames, electrical wiring and components, plastics, carpeting, foam padding, linoleum, metals, or any combination

thereof which are incidental to construction, excavation, renovation, equipping, remodeling, repair or demolition.

#### DUMPSTER

A bulk storage container for garbage, recyclable materials and other solid waste that can be hauled directly to the point of disposal or emptied into a compactor-type truck for disposal.

#### GARBAGE

Includes all putrescible animal and vegetable waste resulting from growing, processing, marketing and preparation of food items, including the container in which packaged.

#### GRAFFITI

Any writing, painting, drawing, staining, carving, etching or other marking, made by use of chalk, paint, ink, aerosol spray can, knife, pencil or any other marking device and/or material, of any word, name, lettering, inscription, figure, design, or other representation, made upon a portion of a building or structure without the consent of the owner. Signs with proper sign permits or approval are expressly not included in the definition of graffiti.

#### GRASS

Herbaceous ornamental plants intended to be periodically cut close to the ground for the establishment of a lawn or ground covering. May also be used as ground covering for the establishment of drainage swales, flood routes, or water detention basins.

#### JUNK

Worn out or discarded material of little or no value including, but not limited to a junk appliance, junk furniture or garbage, rubbish and debris.

#### JUNK APPLIANCE

Any stove, washing machine, dryer, freezer, refrigerator, or other household device or equipment abandoned, junked, discarded, or wholly or partially dismantled.

#### JUNK MOBILE HOME

Any enclosed dwelling built upon a chassis, motor vehicle, or trailer used or designed to be used for either permanent or temporary living and/or sleeping purposes including motor homes, truck campers, camping trailers, campers, travel trailers, pop-up trailers, tent trailers, and over-night trailers, which is no longer suitable for human habitation.

#### LITTER

Improperly discarded material consisting of but not limited to paper and plastic bags, bottles, cans, bottle caps, containers, garbage, paper, newspaper, pieces of paper, paper and plastic cups, wrappers, articles of clothing, cigarette butts, toilet paper, or any other trash disposed on the grounds, bushes or trees of a property.

#### OUTDOOR STORAGE

The placing, maintaining or keeping of any garbage, junk, rubbish, clutter, litter or debris the same are defined herein in a place other than a structure with a roof and fully enclosed on all sides.

#### OWNER OF PRIVATE PROPERTY

Any person, firm, partnership or corporation, whether business or membership or religious, charitable or otherwise, or any purchaser, tenant, lessee, occupant, tenant, receiver or assignee of private premises or private property or any other unit or entity owning real property in the Village.

#### MOTOR VEHICLE

All vehicles propelled or drawn by power other than muscular power originally intended for use on public highways, including but not limited to automobile, bus, trailer, truck, tractor, motor home, motorcycle, and mini-bicycle. This term shall also include an all-terrain vehicle, snowmobile, watercraft of any type or nature, and construction equipment.

#### PERSON

An owner of private property, individual, partnership, association, corporation, or entity of any other kind.

#### PREMISES

A lot, plot or parcel of land, including the buildings, structures and improvements thereon.

#### PUBLIC VIEW

Any premises or open space or any part thereof, or any building or structure or yard that may be viewed by any member of the public from a sidewalk, street, alley or from any adjoining or neighboring property.

#### RUBBISH

Includes all discarded or worthless non-putrescible solid wastes consisting of both combustible and noncombustible wastes, including but not limited to paper and paper products, rags, wrappings, cardboard, tin cans, yard clippings, wood, glass, metals, plastics, tires, bedding, cloth, crockery, furniture, appliances and similar items.

#### SOLID WASTE

Includes all putrescible and non-putrescible materials and substances discarded or rejected as having served their original intended use or as being spent, useless, worthless or in excess to the owner at the time of such discard or rejection, including but not limited to household and commercial garbage, industrial waste, rubbish, debris, litter, and ashes.

#### STRUCTURES

Any assembly of materials forming a construction framed of component structural parts, which exists for any occupancy, storage or other use.

#### SUBSTANTIAL DETERIORATION

A status of either general dilapidation or specific instances of disrepair, including but not limited to substantial conditions of peeling, chipping, cracking, splintering, fraying, warping, crumbling, rusting, corroding, rotting or perforation.

#### UNOCCUPIED HAZARD

Any building or part thereof which remains unoccupied for a period of more than six months, with either doors, windows or other openings broken, removed, boarded or sealed up.

## WEEDS

Wild and useless plants growing at random in inappropriate locations.

Includes but is not limited to untended or uncultivated plants, invasive plants, aggressively seeding plants, Russian thistle, ragweed, and plants generally accepted as having no value and frequently of uncontrolled growth.

## WORKMANLIKE

Executed in a skilled manner, e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

## Article II. Regulatory Provisions

### § 178-6. Cutting and removal of grass, weeds, trees and other poisonous vegetation.

1. Vacant lots or lands. The owner of any vacant lot in the Village shall not permit or maintain any growth of tall weeds, grass or brush for a distance of 100 feet from any street or highway upon which such lands front and for a distance of 100 feet from any building, providing however, that cutting and removing such weeds, grass or brush at least two times each year, once before August 1st, shall be deemed to be a compliance with this provision. This provision shall not apply to land under cultivation nor to naturally wooded lots or lands.

2. Maintenance of lawns. The owner of real property in the Village shall not permit nor maintain grass or weed growth in excess of six inches in height, on average, on any part of the property, whether occupied or unoccupied. Except that this provision shall not apply to landscaped improvement consisting of flowers, shrubs and like and which are not an overgrowth of wild flowers, plants or shrubs.

3. Cutting along streets. The owner of real property fronting upon any street, highway or public way shall cut or cause to be cut and remove all grass, brush and weeds growing between the street pavement edge and the property line at least once each month from May through October, inclusive.

4. Pruning or removal of dead, dangerous or diseased trees. The owner of real property in the Village shall cause the pruning or removal of any dead, dying, dangerous or diseased trees on such private property within the Village when such trees constitute a hazard to life or property or harbor insects or disease which constitute a potential threat to other trees within the Village.

5. All land must be kept free of dead or dying trees and accumulations of brush, shrubs, weeds, grass, stumps, roots, excessive and/or noxious growths, garbage, refuse or debris which would either tend to start a fire or increase the intensity of a fire already started or cause poisoning or

irritation to people or animals or cause or tend to cause or enhance an unhealthy or dangerous or obnoxious condition on said property or on any adjacent or neighboring property.

§ 178-7. Outdoor deposit or storage of junk and waste.

No person, as owner, occupant, lessee or agent or in any capacity, shall store, deposit, place, maintain or cause or permit to be stored, deposited, placed or maintained outdoors any debris, garbage, junk, rubbish or solid waste upon any private property within the Village. This section shall not apply to any solid waste, rubbish or debris temporarily stored or placed in a container for collection or disposal.

§ 178-8. Exterior standards.

The exterior of the premises and the condition of structures shall be maintained so that the premises and buildings shall reflect a level of maintenance in keeping with the standards of the community and shall not constitute blight from adjoining property owners or lead to the progressive deterioration of the neighborhood. Such maintenance shall include, without limitation, the following:

1. Foundations, porches, decks, steps, stairs and walls shall be in good condition.
2. Vent attachments, chimneys and flues shall be safe, durable, smoketight and capable of withstanding the action of flue gases.
3. Exterior balconies, porches, roof area (other than used for normal maintenance), landings, stairs and fire escapes shall be provided with banisters or railings properly designed, installed and maintained to minimize the hazard of falling and unsightly appearance.
- 4 Porches exposed to public view shall not be used for storage.
5. All signs and billboards exposed to public view permitted by the Zoning Law or as a lawful nonconforming use shall be maintained in good repair. Any signs that have become excessively weathered, those upon which the paint has excessively peeled or those whose supports have deteriorated to that they no longer meet the structural requirements of the New York State Uniform Fire Prevention and Building Code shall, with their supports, be removed or put into a good state of repair. All non-operative or broken electrical signs shall be repaired or shall, with their supports, be removed. Signs denoting a business which is no longer on the premises shall be removed within 30 days of the date on which the business ceases to occupy the premises.
6. All exterior walls of a building, accessory building, or structure, whether residential, commercial, or industrial, exposed to the public view shall be kept in a good state of repair. Storefronts or any portion of a structure shall not show evidence of excessive weathering or deterioration of any nature. Unoccupied storefronts shall be maintained in a clean and neat appearance.
7. Any awnings or marquees and accompanying structural members shall be maintained in a good state of repair. In the event that said awnings or marquees are made of cloth, plastic or similar material and are exposed to public view, such material shall not show evidence of excessive weathering, discoloration, ripping, tearing, holes or other deterioration. Nothing herein

shall be construed to authorize any encroachment on streets, sidewalks, or other parts of the public domain.

8. All vacant buildings shall be continuously guarded or sealed and kept secure against unauthorized entry. Materials and methods with which such buildings are sealed must meet the approval of the Code Enforcement Officer as to design and building material. Owners of such buildings shall take such steps and perform such acts as may be required to ensure that the building and its adjoining yards remain safe and secure and do not present a hazard to adjoining property or to the public and that such property does not become infested with vermin or rodents.

9. Any exterior structures, including fences, that are defaced with graffiti shall not remain so defaced for a period longer than five (5) days, provided that, if the subject graffiti can reasonably be interpreted as being hateful or derogatory towards any person or any group of persons by virtue of their actual or perceived race, color, religion, age, disability, marital status, sexual orientation, military status, or national origin, then the Village may require the property owner to remove the graffiti within two (2) days.

10. Exterior walls, including doors and windows and the areas around doors, windows, chimneys and other parts of the building, shall be so maintained as to keep water from entering the building. Materials which have been damaged or show evidence of dry rot or other deterioration shall be repaired or replaced and refinished in a workmanlike manner, with like or similar materials and colors.

11. All exposed exterior surfaces shall be maintained free of broken or cracked glass, loose shingles or loose or crumbling stones or bricks, loose shutters, railings, aerials, excessive peeling paint or other conditions reflective of deterioration or inadequate maintenance. Said conditions shall be corrected by repair or removal. All exposed exterior surfaces of structures not inherently resistant to deterioration shall be coated, treated or sealed to protect them from deterioration or weathering. Wood, masonry or other exterior materials that will naturally resist deterioration do not have to be treated but must be otherwise maintained in a sound, secure, workmanlike manner. Exterior surfaces that have been painted or otherwise coated must be maintained in a neat, orderly, serviceable manner. Floors, walls, ceilings, stairs and fixtures of buildings shall be maintained in a clean safe, sanitary condition. Every floor, exterior wall, roof, porch or appurtenance thereto shall be maintained in a manner so as to prevent the collapse of the same or injury to the occupants of the building or to the public.

12. Roof drains, overflow pipes, air-conditioning drains and any other device used to channel water off or out of a building shall be maintained in a safe and operable condition and shall not drain onto a public sidewalk, walkway, street, alleyway or adjoining property.

13. Piles of materials such as dirt, sand and similar materials shall be used or removed within 30 days of receiving said materials. Failure to comply with this subsection, within five days of being notified, will result in the Village taking any legal action necessary to correct the violation. This will include the issuing of an appearance ticket and/or the Village removing the material or having the same done by contract with a third party. Any and all cost associated with correcting the violation shall be assessed upon the real property on which the violation is found. The fees for action taken by the Village shall be established from time to time by the Board of Trustees by resolution.

14. Materials used for repair of exterior surfaces of buildings and structures, including but not limited to, foundations, roofs, walls, windows, doors, stairways, columns and chimneys shall be of like or similar material to that which is being repaired for the existing surfaces. The use of tarps, plywood or other such material is prohibited, for longer than 90 days, when visible from a public view.

§ 178-9. Open areas and parking spaces.

1. Surface or subsurface water shall be appropriately drained to protect buildings and structures and to prevent the development of stagnant ponds. Gutters, culverts, catch basins, drain inlets, storm sewers or other satisfactory drainage systems shall be utilized where necessary. No roof, surface or sanitary drainage shall create a structural, safety or health hazard by reason of construction, maintenance or manner of discharge. No drainage shall be directed into the streets, sidewalks or onto adjacent property.

2. Fences and other minor construction shall be maintained in a safe and substantial condition.

3. Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled and necessary repairs or replacement carried out.

4. Yards and vacant lots shall be kept clean and free of physical hazards and rodent harborage and infestation. They shall be maintained in a manner that will prevent dust or other particles from being blown about the neighborhood. Open wells, cesspools or cisterns shall be securely closed or barricaded from access by the public. All temporary excavations shall be kept covered or barricaded so as to protect the general public from injury.

5. Sidewalks in the public space in front of each premises shall be kept free of snow and ice accumulations. Sidewalks and walkways for driveways, parking spaces and steps shall be kept free of snow and/or ice accumulations to allow safe passage.

6. Firewood shall not be stacked or stored in the front yard on residentially-zoned property, except that firewood may be temporarily stored in the front yard for a period of fourteen (14) days from the date of its delivery. Firewood shall be neatly stacked and may not be stacked closer than one (1) foot to any lot line and not higher than five (5) feet from grade, except adjacent to a fence, where firewood can be stacked as high as the fence. All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of and shall not be allowed to remain on the premises. Not more than ten percent (10%) of the side yards and rear yard may be used for storage of firewood at any one time. The word "fence" shall not include a hedge or other vegetation.

§ 178-10. Abandoned, junked or unregistered vehicles; commercial vehicles in residential districts.

A. It shall be unlawful for any person within the Village to store or deposit or cause, suffer or permit to be stored or deposited an abandoned, junked or inoperative motor vehicle or

part or piece thereof, any motorized equipment, any junk boat or any junk trailer on any private property within the village.

(1) Excepted from the provisions of this section are:

(a) A vehicle stored within a garage or other enclosed structure, or within the rear yard or side yard and screened by any fence, wall or barrier, not less than five (5) feet in height, constructed of opaque materials which screens it from view from any adjacent properties and the public right-of-way, and is equipped with self-latching gates or doors. Such fence, wall or barrier must comply with the Chapter 105, Fences.

(b) One or more vehicles located at a business enterprise operating in a lawful place and manner, when keeping or maintenance of such vehicle(s) is necessary to the operation of such business, as approved by the Planning Board during site plan review.

(c) Any vehicle stored in a depository maintained by the Village.

(d) Antique vehicles. This article recognizes the existence of those persons who collect antique vehicles (25 years or older) and those persons who restore antique vehicles.

[1] The collection of unlicensed antique vehicles in number no greater than two shall be permitted, provided that said vehicles are in a condition such that they could be licensed and used upon the public highways and/or waterways.

[2] Any person showing that he or she collects usable antique vehicles for business or hobby shall be allowed one vehicle for restoration purposes, provided that said restoration is completed within one year from the date of placement of the vehicle to be restored on the premises. A vehicle restoration permit shall be required prior to any unusable antique vehicle being placed on property. Any person having existing antique vehicles on his or her property shall obtain a permit from the Code Enforcement Officer, which permit shall be valid for one year.

(e) Seasonal vehicle. Upon written application and a fee established by resolution of the Board of Trustees, the Code Enforcement Officer shall issue a permit for the open storage of one seasonal use vehicle per property, subject to the following conditions:

[1] The vehicle shall be owned by one of the inhabitants of the property.

[2] The vehicle shall have a current registration and inspection sticker permanently attached to the windshield, or to the license plate.

[3] The permit shall be issued for not more than 180 days.

[4] The permit shall not be issued if the property has a "for sale" sign on it.

B. Commercial vehicles. One commercial or business vehicle with a maximum gross weight not exceeding 7,000 pounds may be stored or parked outdoors in any residentially-zoned district.

C. Removal procedure. Any abandoned, junked or inoperative motor vehicle, junked boat, or junked trailer found by the Code Enforcement Officer to be located within the Village in

violation of this section may be removed from the premises on which it is located in the following manner:

(1) The Code Enforcement Officer shall serve personally or post a copy of the written notice on a conspicuous place on the property and mail a copy of such written notice on the same day to the owner of the private property on which the vehicle is located, ordering such person to remove the same or cause the same to be removed therefrom within 10 days of the date of said notice. The Code Enforcement Officer may determine the ownership of any parcel of land in the Village from the current assessment roll.

(2) In the event that said abandoned, junked or inoperative motor vehicle or vehicles are not removed from the premises or located within the time required in the notice, the Village or its agent is authorized to enter upon the premises and to remove and dispose of the abandoned, junked or inoperative motor vehicle or vehicles. The expense of such removal and disposal shall be a lawful charge against the owner of the private property and may be collected, if necessary, in a civil action instituted in the name of the Village or in the same manner as general Village taxes.

(3) Vehicles removed under the provisions of this section may be stored and redeemed by the owner as provided by § 235-13 of this Code.

#### § 178-11. Commercial units.

1. Commercial units shall at all times be maintained in compliance with the provisions of this chapter regulating open spaces, buildings or structures and littering.

2. No materials or stock-in-trade, garments, shoes or other wares, soft drink or vending machines, ice machines or the like may be stored or displayed on a public sidewalk. Specifically excluded therefrom are chairs and tables used in connection with a sidewalk cafe or restaurant, provided that there shall be sufficient sidewalk passage for pedestrians. Materials may be stored in a rear yard, provided that a storage area therein is completely enclosed within a six-foot-high solid fence or evergreen hedge of equivalent height and that the storage area does not infringe on or obstruct vehicle parking or maneuvering areas.

3. No outside storage or accumulation of garbage, crates, rubbish, refuse or debris shall be permitted at any time, and all such garbage, crates, rubbish, refuse, or debris shall be kept inside the building or buildings on the premises or in an acceptable enclosure and shall be regularly collected and removed from the premises.

4. No shopping baskets, carts or wagons shall be left unattended or standing in open areas, and the same shall be collected at the close of business each day by the occupant of such unit and moved to a clearly designated area dedicated to said baskets, carts or wagons, or to the interior of the building or buildings.

5. No mobile refrigeration unit shall be operated on the premises after the closing of the business conducted thereon unless such mobile refrigeration unit is electrically operated, except in an industrial zone.

6. All fences and planting areas installed on the premises shall be maintained by the owner of the property. Such maintenance shall include but not be limited to the replacement of trees and shrubs that may die and/or otherwise be destroyed, the maintenance and cutting of lawns and the replacement and/or repair of fences which may become in disrepair.

7. Persons owning or occupying a commercial unit shall keep all walkways, public or private, abutting said premises free from litter and trash of whatever nature.

8. All signs and associated hardware shall be removed after a commercial occupancy becomes vacant in excess of 30 days.

9. Whenever a commercial occupancy has been vacant for greater than 30 days, the property owner shall register their contact information with the Village police department and/or the Village Clerk so that they may be promptly contacted if needed.

§ 178-12. Infestation; storage and screening.

1. Grounds, buildings and structures shall be maintained free of insect, vermin and rodent harborage and infestation. Methods used for exterminating insects, vermin and rodents shall conform to generally accepted practice.

2. Where the potential for rodent or vermin infestation exists, windows and other openings in basements and cellars shall be closed or appropriately screened with mesh or other suitable material.

3. No materials, goods or supplies (such as furniture intended for interior use only, for example, chairs and couches) may be stored in any front yard or in an exterior or interior side yard. Materials may be stored in a rear yard, provided that the area used for storage is screened from neighboring properties by a fence or hedge and provides protection from the elements and that the method and manner of storage complies with the other provisions hereof.

§ 178-13. Litter; refuse containers; dumpsters and receptacles.

1. Residential, commercial and industrial premises, whether improved or vacant, shall be maintained free of litter; provided, however, that this section shall not prohibit the storage of litter in appropriate private receptacles for collection.

2. Adequate sanitary facilities and methods shall be used for the collection, storage, handling and disposal of garbage and refuse in accordance with the provisions of applicable codes. Each owner of any building from which garbage, rubbish, mixed refuse, ashes or other wastes are collected shall provide refuse containers sufficient in number to hold all collectible wastes which may accumulate. Containers must be rodent-proof and insect-proof and watertight and must be kept covered at all times. Such containers must be kept from public view until day of pickup.

C. Commercial and other premises. Industrial, apartment, commercial establishments and places of assembly shall provide for receptacles, the location and size of which shall be approved

by the Code Enforcement Officer. Such receptacles including dumpsters shall be enclosed within a privacy fence or wall to screen them from adjacent properties and the street. Such enclosures shall be designed to match or compliment the siding of the primary building on the premises or privacy screening such as wood fence with tight-fitting pickets or chain-link fence with cross slats. Openings of enclosures shall have gates that shall be made of comparable screening materials and shall remain closed except when being filled or emptied. Enclosures shall be higher than any of the containers enclosed, structurally sound, large enough to accommodate all garbage and trash receptacles on the premises as well as any loose items for disposal and maintained in good condition. No signs or banners shall be placed on said enclosures.

1. Shopping centers, supermarkets and similar business units shall provide permanent, attractive, decorated litter receptacles within the premises for public use in sufficient quantity so that a person will not have to walk in excess of 50 feet to use any such receptacles.

#### § 178-14. Refrigerators; freezers.

No person shall discard, abandon or store a refrigerator or freezer in a place accessible to children without first completely removing any and all doors and obtaining a certificate from an authorized person or company showing that all Freon has been lawfully removed.

#### § 178-15. Maintenance of site and adjoining roads during construction

A. During the construction of any new building or structure, or during any reconstruction, enlargement, modification or alteration of any existing building or structure or during work upon any site, the owner of such construction site shall cause the entire site and all adjoining roads to be kept in a good, neat, clean, sanitary and attractive condition and free of all garbage, rubbish, debris (including construction debris) trash and the like to the extent practicable.

B. At the end of each work day, the owner of the construction site shall cause all garbage, rubbish, debris (including construction debris) trash and the like thrown, placed, deposited or discarded by the owner or owner's contractors, subcontractors agents, employees or invitees to be collected and placed in dumpsters or other appropriate covered containers or garbage disposal bags or removed from the site and adjoining roadways.

C. At the end of each work week, the owner of the construction site shall cause any accumulation of sand, gravel, cinder, topsoil, mud, earth or dirt or the like placed, deposited or tracked or caused to be placed, deposited or tracked from any construction site upon any adjoining roadways or caused by the owner or owner's contractors, subcontractors, agents, employees or invitees or other vehicles coming to and from the site or from any other cause to be removed and the adjoining roadways to be swept and cleaned.

D. The owner of the construction site shall cause appropriate sanitary disposal facilities for the use of construction workers to be placed and maintained at the construction site as required by applicable laws, rules and regulations or as the Code Enforcement Officer shall determine to be suitable for the number of construction workers at the site.

E. All construction shall be conducted only during the hours and only on the days as provided in Section 134-3(G) of the Code of the Village of Central Square.

§ 178-16. Filling and dumping.

A. Definitions. As used in this section, the following term shall have the meaning indicated:

FILL

Any soil, dirt, earth product, excavated material or other material commonly known as "fill."

B. It shall be unlawful for any person to deposit or permit the deposit of imported fill on a lot, without first having obtained a permit, from the Code Enforcement Officer, as hereinafter provided.

C. Permit application.

(1) Application for such permit shall be made to the Code Enforcement Officer. The Code Enforcement Officer may require the applicant to furnish such information as may be reasonably necessary, including the nature and quantity of the fill and plans with respect to grading and drainage.

(2) In determining whether to grant or deny such permit, the Code Enforcement Officer shall consider the impact thereof upon drainage and related concerns. Incident to granting such a permit, the Code Enforcement Officer may impose conditions in order to minimize the impact thereof upon drainage and related concerns.

(3) Only clean fill or an approved equal shall be deposited pursuant to any such permit.

(4) If the Code Enforcement Officer denies such permit, the applicant may appeal to the Board of Trustees.

D. Any violation of any conditions imposed incident to granting such permit shall be deemed a violation of this article.

E. The Board of Trustees may, by resolution, establish a fee for such permit; any such fee may be amended from time to time by resolution.

F. The deposit of fill on a lot shall be exempt from the permit requirement of this section under the following circumstances:

(1) Where a valid building permit has been issued and is in effect for construction of a building on such lot, provided that the deposit is incident to and in furtherance of construction authorized by such building permit.

(2) Where a site plan approval or subdivision approval has been granted and is in effect for such lot, provided that the deposit is incident to and in furtherance of development authorized by the Planning Board.

§ 178-17. Sale of vehicles; permit required; fee.

In the event that any vehicle is offered for sale in any residentially-zoned district, upon written application and a fee as established by resolution of the Village Board of Trustees, the Code Enforcement Officer shall issue a permit for the open storage of one vehicle for the purpose of offering for sale a vehicle that is currently not registered or licensed or inspected under New York State law subject to the following conditions:

A. The vehicle shall be owned by one of the inhabitants of the property where the vehicle is being offered for sale.

B. The vehicle shall be setback from the road so as not to create a visibility hazard.

C. A copy of the permit shall be affixed to the interior of the windshield in order that the permit information is visible from the street.

D. No permit shall be issued for any abandoned, junked or inoperative motor vehicle as defined in this chapter.

E. No more than two (2) permits shall be issued during any calendar year.

§ 178-18. Responsibilities of owner, occupant, agent or operator.

1. The owner, occupant, agent, and operator in control of the building, structure, lot or parcel of land shall be jointly and severally responsible for the maintenance of the premises in a clean, safe and sanitary condition according to the provisions of this chapter.

2. Notwithstanding the failure of the occupant, agent or operator in control of the building, structure, lot or parcel of land to maintain the premises in a clean, safe and sanitary condition, the owner of the building, structure, lot or parcel of land shall be an accessory responsible party.

### Article III. Enforcement and Compliance

§ 178-19. Enforcement and administration.

1. Enforcement Officer. The provisions of this chapter shall be enforced by the Code Enforcement Officer and the Central Square Police Department, unless otherwise specified herein.

2. Inspections. The Code Enforcement Officer is hereby authorized and directed to make all inspections necessary to determine whether compliance with the provisions of this chapter exists. For the purpose of making such inspections, the Code Enforcement Officer is hereby authorized as permitted by law to enter, examine and survey at any reasonable times all premises. The owner or occupants of every premises, or the person in charge thereof, shall give the Code Enforcement Officer free access to such premises at all reasonable times for the purpose of such inspection, examination and survey. In the event that permission to enter any such premises for the purpose of inspection is denied, the Code Enforcement Officer may apply to the appropriate authority for a search warrant, except that a warrant shall not be required:

(1) When entry is by permission or at the request of the owner or occupant.

(2) Where the Code Enforcement Officer has reason to suspect that an imminent danger to health and safety exists and where immediate inspection is required to determine if such an imminent danger to health or safety exists.

C. Every occupant of a premises shall give the owner thereof, or his agent or employee, access to any part of such premises at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.

D. Enforcement procedure. Whenever the Code Enforcement Officer determines that there is or has been a violation of any provision of this chapter, he shall give notice of such violation to the person, persons or entities responsible therefor under this chapter. Such notice shall be in writing and shall include a concise statement of the reasons for its issuance. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by certified mail, return receipt requested, to the last known address of the person or entity upon whom or which the same is served, as shown by the most recent Village assessment records, or a copy thereof handed to said person or persons, or a copy thereof left at the usual place of abode or office of said person or entities. The notice shall also state that unless the violation is abated, cured, prevented or desisted within 10 days of the date of service of such notice (exclusive of the date of service), a summons shall be issued for such violation. The enforcement officer may extend the period for compliance with the requirements of this article in regard to the violation stated in the notice for a period in excess of the aforesaid 10 days if, in his judgment, the abatement, removal, prevention, cessation or cure of the condition violated cannot reasonably be effected within the ten-day period, and in such cases the Code Enforcement Officer shall state such reasonably required extended period in the notice, which shall then be applicable instead of the aforesaid 10 days.

E. Appearance before Board of Trustees. The Notice of Violation and Order to Remedy may specify a date and time of a hearing to be held before the Board of Trustees. If the hearing date and time is not specified in the Notice of Violation and Order to Remedy, then a subsequent notice may specify the date and time of a hearing to be held before the Board of Trustees. The date of the hearing, except in the event of an emergency, the hearing before the Board of

Trustees specified on the Notice of Violation and Order to Remedy shall be at least seven days after the date of issuance of the Notice of Violation and Order to Remedy.

F. Hearing. . At the hearing, the Board of Trustees may consider the violations cited in the Notice of Violation and may adopt a resolution and order that orders the owner to comply with the enforcement officer's Order to Remedy. The owner and/or his or her attorney or other representative may appear before the Board of Trustees for the opportunity to contest the enforcement officer's order before any further action is taken by the Village.

G. Appearance ticket. The Code Enforcement Officer is authorized to issue appearance tickets, against the person, persons, entity or entities so notified, in accordance with Article 150 of the Criminal Procedure Law, in the event that the violation is not abated, removed, cured, prevented or desisted from or otherwise fully remedied within the period as set forth in the notice, pursuant to the foregoing.

H. Emergency conditions. Whenever the Code Enforcement Officer finds that an emergency condition in violation of this chapter exists, which condition requires immediate attention in order to protect the public health or safety, he may issue an order by service of a notice as set forth in Subsection D above, reciting the existence of such emergency condition and requiring that such action be taken by the violator as soon as is reasonably necessary to meet the emergency. Notwithstanding any other provision of this article to the contrary, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon objection in writing to the Code Enforcement Officer, any such person shall be afforded a hearing before the Mayor as soon as reasonably possible. After such hearing and decision by the Mayor as to the existence or nonexistence of the emergency condition, the Mayor may continue such order in effect or modify or withdraw it, subject to the issuance of an appearance ticket for violation thereof if such order is continued.

§ 178-20. Removal by Village; recovery of costs, assessment upon real property.

A. The Village Board, by resolution, after a public hearing specified in § 178-19, may cause any nuisance, hazard or litter as herein defined to be removed from any property within the Village of Central Square upon the failure of such owner, tenant or occupant to comply with the written notice aforementioned within the time limit. Said removal shall be performed by the Department of Public Works or other designee, including a private contractor. The Village Board shall ascertain the cost of such removal, and such cost shall be charged and assessed against the owner, tenant or occupant of the property. 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 charges.

B. The removal of any nuisance, hazard or litter by the Village of Central Square or its designee shall not operate to excuse such owner, tenant or occupant from properly maintaining his or its property as hereinabove set forth, and such owner, tenant or occupant shall, notwithstanding, be subject to the penalties provided for in this chapter.

SECTION 5. Severability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Board of Trustees of the Village of Central Square hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6. When effective.

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

(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, designation as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the ~~(County)~~(City)~~(Town)~~ (Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ March on 24 20\_\_\_\_, 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

~~**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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such *(Elective Chief Executive Officer\*)* 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such *(Elective Chief Executive Officer\*)* local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provision of law.~~

\* 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.)~~

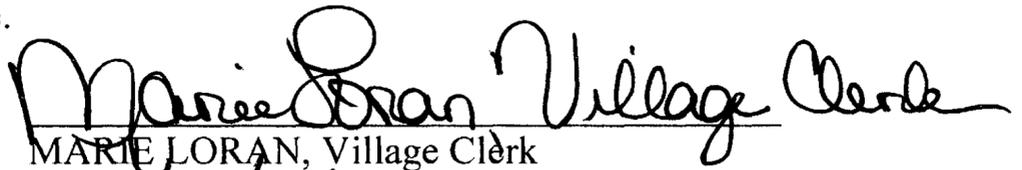
~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of 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 of 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 1 above.

  
MARIE LORAN, Village Clerk

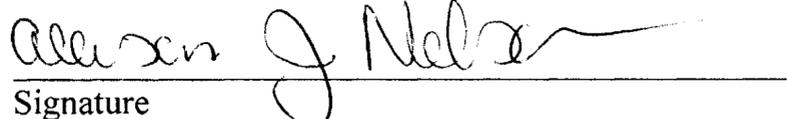
Date: 3/25/14

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF OSWEGO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature  
Town Attorney  
Title

County \_\_\_\_\_  
City \_\_\_\_\_  
Town \_\_\_\_\_ of Central Square  
Village \_\_\_\_\_

Date: 3/26/14