

LOCAL LAW AMENDING THE TOWN OF GEDDES TOWN CODE SECTION 85 BRUSH GRAS AND WEEDS BY STRIKING THE EXISTING SUBSECTIONS 85-2, 85-4 AND 85-5 AND SUBSTITUTING THEREFORE NEW SUBSECTIONS 85-2, 85-4 AND 85-5 REGARDING EXCESSIVE GROWTH PROHIBITION LIMITS, EXCEPTIONS THERETO AND NOTIFICATION OF PROPERTY OWNERS.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF GEDDES AS FOLLOWS:

Section I: The Town of Geddes Town Code, being Local Law No. 1 of 2001, as has previously been amended, is hereby further amended at § 85 by striking the existing subsections 85-2, 85-4 and 85-5 and substituting therefore new subsections 85-2, 85-4 and 85-5 regarding excessive growth prohibition limits, exceptions thereto, and notification of property owners, to read as follows:

“§ 85 Brush Gras and Weeds

§85-2. Excessive growth prohibited.

It shall be unlawful for any person having control or ownership of any type of tenancy of occupied or unoccupied land or any part thereof in the Town of Geddes, New York, 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 10 inches on the average or any accumulation of dead weeds, grass or brush.

85-4. Inspection; removal by town.

Within 5 days after the hand posting, regular mail and/or certified mailing of written notice, the Town Code Enforcement Officer shall make an inspection and shall cause weeds, grass and other vegetation on such lands or portion thereof to be cut and removed. The actual cost of cutting and removal, plus a twenty-percent fee for inspection and administrative overhead therewith, shall be certified by the Town Code Enforcement Officer to the Town 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.

§ 85-5. Exceptions.

The provisions of this chapter shall be related to the growth of brush, grass and weeds and shall not apply to:

1. Any lot or land under cultivation in a good or husbandry-like manner; or
2. Natural open space areas; or
3. Any vacant lot exceeding 2 acres; or

4. Any lot exceeding 2 acres or more with a structure erected on it will be up to the Code Enforcement Officers discretion of the area to be maintained.”

Section II: Local Law No.: 1 of 2001, as amended, is further amended as specified hereinabove.

Section III: This local law shall take effect immediately upon posting and publication as may be required by law and filing with the Secretary of State.