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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.

COPY

~~County~~
City of ... NUNDA.....
Town
Village

Local Law No. 2..... of the year 19 90.....

A local law Providing for Outdoor Storage in the Town of Nunda, Livingston County.....
(Insert title)

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

~~County~~
City of Nunda..... as follows:
Town
Village

Section 1. Purpose

It is hereby declared that the outdoor storage and maintenance of abandoned, junked, discarded, dismantled and unlicensed motor vehicles, household appliances, lawn mowers and motorized yard equipment, rubbish and debris upon privately owned properties within the Town of Nunda is a matter affecting the public interest. Such storage and maintenance constitutes a nuisance and an unsightly condition and is a source of vexation and annoyance not only to the owners and occupants of adjoining lands but also to the general public. The preservation of peace and good order, the safeguarding of health, safety and general welfare and the protection of private property compel the Town Board of the Town of Nunda to legislate upon this subject matter.

Section 2. Definitions

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

APPLIANCE - Any stove, washing machine, dryer, freezer, refrigerator, or other household device or equipment abandoned, junked, discarded or wholly or partially dismantled, no longer intended or in condition for ordinary use for the purpose for which it was designed originally.

JUNK VEHICLES - A vehicle, as defined in the New York State Vehicle and Traffic Law or amendments thereof, which:

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

- A. Does not for a period of one hundred twenty (120) days have a current vehicle registration, license plate or inspection certificate;
 - B. Cannot be put into an operational condition except at a cost in excess of its market value after repair; or
 - C. Has been discarded for use as a vehicle or for any other legal purpose.
- OWNER - The person having legal title to real property or the person in possession thereof shall each be considered "owners" of property for the purposes of this chapter.

PERSON - An individual, partnership, association, corporation or legal representative.

RUBBISH or DEBRIS - Includes ordinary household or store trash of a flammable character, such as barrels, cartons, boxes, crates, furniture, rugs, clothing, rags, mattresses, blankets, rubber tires, lumber, brick, stone and other building materials no longer intended or in condition for ordinary use, and any and all tangible personal property no longer intended or in condition for ordinary and customary use.

Section 3. Storage on Private Property

No person shall have or permit the existence of junk vehicles, appliances, lawn mowers, motorized yard equipment, rubbish or debris out of doors on property owned by such person within the Town of Nunda outside the Village of Nunda.

Section 4. Notice of Violation

A. The Zoning Officer of the Town of Nunda or any other agency or official authorized from time to time by the Town Board of the Town of Nunda by resolution shall inspect property and file a written report of violations by owners with the Town Clerk. The Zoning Officer shall prepare a written notice and shall cause the same to be served upon the owner personally or by certified mail. The notice shall contain the following:

- (1) The name of the owner to whom the notice shall be addressed.

(2) The location of the premises involved in the violation.

(3) A statement of the facts which it is alleged violate this chapter.

(4) A demand that the junk vehicle, appliance, lawn mower, motor yard equipment, rubbish or debris be removed from the premises within ten (10) days after service or mailing of the notice.

(5) A statement that a failure to comply with the demand may result in prosecution.

(6) A copy of this chapter.

B. Upon application of the alleged owner showing reasonable cause, the Town Board of the Town of Nunda may grant an extension of up to ninety (90) days for the owner to comply with the demand of the Zoning Officer.

Section 5. Deposit on Other's Property

No person shall willfully place a junk vehicle, appliance, lawn mower, motorized yard equipment, rubbish or debris on premises which such person does not own.

Section 6. Exceptions

This chapter does not apply to any junkyard permitted under other local laws or ordinances of the Town of Nunda.

Section 7. Penalties for Offenses

Any person violating any provision of this chapter shall be guilty of an offense punishable by a fine not exceeding two hundred fifty dollars (\$250.00) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. The continuation of any such violation of this chapter shall constitute, for each week the offense is continued, a separate and distinct offense hereunder.

Section 8. Additional Remedies

with its approval, the Zoning Officer or other official designated by the Town Board, in addition to other remedies, may institute any appropriate action or proceeding to prevent such use of property in violation of this chapter and to restrain, correct or abate such violation, whether by judicial injunction or otherwise.

Section 9. Effective Date

This local law shall take effect upon proper filing.