

VILLAGE OF CHESTNUT RIDGE

LOCAL LAW NO. 22 OF THE YEAR 1987

A local law **TO FOSTER THE MAINTENANCE OF PRIVATE PROPERTIES  
WITHIN THE VILLAGE OF CHESTNUT RIDGE**

Be it enacted by the Board of Trustees of the Village of Chestnut Ridge as follows:

Section 1. Legislative Intent.

The Board of Trustees of the Village of Chestnut Ridge determines and declares it to be in the interest of the residents of the Village to prevent the maintenance of any parcel of real property in such a cluttered or unclean condition as to create the potential for a public nuisance, a public health hazard or which renders it aesthetically offensive to the common sensibilities of an average resident applying community standards. Furthermore, the Village Board hereby determines that it is necessary for the public health, appearance, safety and welfare of the residents of the Village to provide a method whereby vacant lots, improved properties and public lands within the Village of Chestnut Ridge are kept clean, properly maintained and kept free from vermin, nuisances, hazards, debris and litter.

Section 2. Definitions

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

DUMPSTER, CONTAINER, COMPACTOR or ENCLOSURE

An enclosed area or otherwise covered container for the temporary collection, compacting and storage of a nuisance, hazard, debris and litter as defined herein.

NUISANCE, HAZARD, DEBRIS and LITTER

Any waste material, including but not limited to garbage or other putrescible substance, refuse, rubbish; inoperable vehicles and parts; discarded furniture, appliances, water heaters, bottles or cans; building or construction materials or supplies when stored outside on a site where no active construction is taking place; storage units used to store personal property, tools or equipment which are kept on property for a period of time in excess of fourteen (14) days; discarded or strewn papers or material or other junk substances; tree stumps, tree trunks, branches or limbs that have fallen or been cut down; or, any other matter attractive to vermin, likely to breed disease, present a

fire hazard, create offensive odors or to otherwise be prejudicial to good health or being so unsightly of appearances as to be offensive to surrounding properties.

### VEHICLES

For the purpose of this article, “vehicle” shall be defined as a car, truck, camper, van, boat, boat trailer, commercial trailer, motorcycle, go-cart or any other motorized or nonmotorized object which has as its main purpose the storage or movement of people or animals.

#### Section 3. Maintenance of Property, deposit of debris or litter prohibited

- A. It shall be an offense for any person to abandon, leave, dump, store or keep any nuisance, hazard, litter, debris or matter attractive to vermin upon any public place or upon any privately owned property or right-of-way within the Village of Chestnut Ridge except as permitted by Subsection [B](#) hereof.
- B. The owner, tenant or occupant of property being used for residential or commercial purposes located within the Village of Chestnut Ridge is hereby required to maintain at all times one or more dumpsters, containers or enclosures of adequate size to temporarily store all nuisance, hazard, debris and litter until removed. The failure to comply with this subsection shall be deemed an offense.
- C. All owners, occupants or tenants of any privately owned property, improved or vacant, within the Village of Chestnut Ridge, shall maintain grass or other ground cover, trees and shrubbery in a safe condition, free of noxious weeds and otherwise free of nuisance, hazard, debris, litter and unsightly materials. For the purposes of this provision, all grass shall be kept trimmed to a height of no greater than 10 inches. The dead or diseased trees or any portion thereof which present any hazard to life or property shall be removed. No owner, tenant, or occupant shall blow leaves or other debris onto adjacent property or property lines. The failure to maintain property as required by this section shall be deemed an offense.

#### Section 4. STORAGE OF VEHICLES

The owner tenant or occupant of any property located within the Village of Chestnut Ridge shall not park, permit or allow the exterior parking or storage of more than one (1) unregistered vehicle on such property; nor shall such owner tenant or occupant park or permit the parking of any registered or unregistered

vehicle in any manner which would violate the Zoning Code of the Village of Chestnut Ridge. The failure of any owner, occupant or tenant to comply with these requirements or of the requirements of the Zoning Code of the Village of Chestnut Ridge shall be deemed an offense under this section.

Section 5. REMOVAL UPON NOTICE

Whenever the Village Code Inspector, Building Inspector or Fire Inspector determines that a violation of this local law has occurred, he/she shall serve a notice of violation personally or by certified mail upon any tenant, occupant, or upon the last known owner of the property on which such violation exists as shown on the last preceding assessment roll. If mailed *to* an owner of a subject property, such notice shall be addressed to the owner of record of such property at the address shown on the last preceding assessment roll. Such notice shall give the tenant, occupant or owner ten (10) days to correct such violation. The *tenant, occupant or* owner shall remove such nuisance, hazard, litter, debris, junk, rubbish or other waste materials, or shall cut such grass or weeds within the time specified in said notice.

Section 6. PROCEEDING UPON FAILURE TO COMPLY WITH NOTICE TO REMOVE.

- A. In the event all such nuisance, hazard, litter, debris, junk, rubbish or other waste materials have not been removed or such grass or weeds have not been cut within the time specified in such notice, the Village Board may hold a public hearing. The public hearing shall be held upon notice posted conspicuously on the affected property and forwarded to the last known address of the property owner, as it appears on the current tax records of the Village by certified mail, return receipt. Posting and service of such notice shall be not less than 10 days prior to the date of such hearing.
- B. If, after such hearing, the Board of Trustees determines that the continued deposit of such nuisance, hazard, litter, debris or materials or the failure to cut said grass or weeds is aesthetically offensive or constitutes a public nuisance or public health hazard, it shall give notice of such findings by certified mail addressed to the owner of record of said property. Such notice shall further state that in the event the violation has not been fully corrected within ten (10) days the Board of Trustees, or their designees, shall cause the violation to be corrected and that the entire expense thereof shall be assessed against the property.
- C. If said violation has not been fully corrected at the expiration of the

aforesaid ten (10) day period, the Board of Trustees shall proceed to take whatever action it deems necessary to cause the nuisance, hazard, litter, debris, junk, rubbish or other waste materials to be removed from the property or the grass or weeds to be cut. The total expense of such work shall be assessed against such property in the manner provided in Section 4D below.

- D. The Board of Trustees, or their designee, shall serve a written notice personally or by certified mail upon the record owner of the property as shown on the last preceding assessment roll stating that at a time and place specified therein, it will assess the cost of removal of materials or cutting of grass or weeds against the subject property. Such notice shall be served at least eight (8) days prior to the time specified in said notice. The amount assessed shall constitute a lien on said property and shall be collected in the same manner as all Village special assessments.

Section 7. Violations and Penalties.

A. Any person failing to comply with a lawful order pursuant to this article or committing an offense against any provisions of this article shall be guilty of a violation punishable by a fine not exceeding \$250, after a first offense has been committed, for a second and any further subsequent offense committed within any twelve-month period after a first offense has been committed, shall be guilty of a misdemeanor subject to a fine not exceeding \$1,000.

B. The continuation of an offense against the provisions of this article shall constitute, for each week the offense is continued, a separate and distinct offense hereunder.

C. In addition to all other remedies provided for herein, the Board of Trustees may also enforce obedience to this local law by injunction or by any other remedy available to it by virtue of judicial process.

Section 8. Severability.

The invalidity of any section, clause, sentence or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part of parts.

Section 9. Effective Date.

The local law shall be effective immediately upon filing with the Secretary of State.

ADOPTED: August 20, 1987

AMENDED: August 20, 1998 by Local Law No. 8 of 1998  
October 15, 1998 by Local Law No. 9 of 1998  
December 12, 2013 by Local Law No. 4 of 2013