CHAPTER 59: OUTDOOR STORAGE OF MOTOR VEHICLES

§ 59.1 Definitions

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

ABANDONED VEHICLE – A motor vehicle which is defined under Section 1224 of the Vehicle and Traffic Law of New York State.

NUISANCE VEHICLE – A motor vehicle that cannot be driven upon the public streets for reasons including but not limited to being unlicensed, unregistered, uninspected, wrecked, in a state of disrepair, inoperative or otherwise incapable of being moved under its own power. Also called "Junked Vehicle."

MOTOR VEHICLE – Any vehicle originally intended to be operated or driven upon a public highway, propelled by any power other than muscular power, whether or not such vehicle has an engine or is operable. The following vehicles shall not be considered motor vehicles for the purposes of this chapter:

A. Snowmobiles, as defined in Article 47 of the Vehicle and Traffic Law of New York State.
B. All-terrain vehicles, as defined in Article 48 of the Vehicle and Traffic Law of New York State.
C. Farm-type tractors and alt-terrain vehicles used exclusively for agricultural purposes.
D. Farm equipment, including self-propelled machines used exclusively in growing, harvesting or handling farm produce.
E. Self-propelled caterpillar or crawler-type equipment while being operated on the contract site.
F. Motor vehicles displayed on a licensed car dealer lot for the purposes of display for sale.

§ 59.2. Abandoned Vehicles.

Abandoned vehicles on private and public property within the Town may be addressed and abated pursuant to the procedures set forth in Section 1224 of the Vehicle and Traffic Law of New York State. As set forth in New York State's Vehicle and Traffic Law § 1224, a violation of that section is punishable by a fine of not less than $250.00 nor more than $1,000.00.

§ 59.3 Nuisance Vehicles

A. Prohibition of the outdoor storage of nuisance vehicles. No person shall place, deposit, store or allow to remain upon any private property or land in the Town of Camillus any nuisance vehicle except when sheltered in a garage or other similar enclosure away from public view, unless it is the allowed business of the property user to conduct such operations on the premises.

B. Notice. After the Code Enforcement Officer of the Town of Camillus has determined that a nuisance vehicle, or discarded parts thereof, is openly stored or deposited or is permitted to be openly stored or deposited on a parcel of property in violation of this section, the Code Enforcement Officer shall serve a written notice, by personal service or by certified mail, return receipt requested, on the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant of the property on which the nuisance vehicle, or discarded parts thereof, is openly stored. Such notice shall specify that within the prescribed period of time stated in said notice, the person served, regardless of ownership of the nuisance vehicle shall terminate the open storage of such nuisance vehicle or submit a written request to the Code Enforcement Officer for a hearing before

the Town Board, which shall have the power to cause the work to be done and pay the cost thereof. At the expiration of the time stated in said notice, the notice shall be deemed an order to cease and desist from and to abate the violation. Such notice shall contain an outline of the remedial action, which, if taken, will effect compliance with the provisions of this section.

C. Abatement of violations.

1. Duty to abate violations. Any person, being the owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant of the property on which a nuisance vehicle is being stored outdoors shall be required to remedy the violation of this section upon their land when directed to do so by notification of the Code Enforcement Officer of the Town of Camillus.

2. Abatement of violations by Town. Whenever a notice referred to in this section has been served upon a person to abate a violation of this section and such person neglects or fails to comply with the requirements of such notice, by either failing to abate the violations or failing to request a hearing as set forth in § 59.3(B), within the time provided therein, the Code Enforcement Officer shall submit the matter to the Town Board which shall cause the work to be done and pay the cost thereof.

D. Reimbursement of costs. The Town shall be reimbursed for the cost of work performed or services rendered by direction of the Code Enforcement Officer as provided in this section, by assessment and levy upon the lots or parcels of land whereon such work was performed or services rendered of the actual and complete cost of such work, whether such work shall have been done by employees of the Town or others, and the actual cost of such work shall become a lien on the property and shall be added to become part of the taxes next to be assessed and levied upon such lot or land, shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

E. Penalties for offenses. An offense against any provision of this section shall be a violation. Such violation shall be deemed an offense and each day the condition persists shall constitute a separate offense. Any person(s) in violation of this section shall be guilty of an offense punishable by a fine not less than $50.00 nor more than $250.00; and upon conviction of a second offense within three (3) years, shall be punishable by a fine not less than $250.00 nor more than $1,000.00 or imprisonment for a period not to exceed thirty (30) days, or both; and upon conviction of a third or subsequent offense within three (3) years, shall be punishable by a fine not less than $1,000.00 or imprisonment for a period not to exceed six (6) months, or both.

F. Remedies not exclusive. The election to pursue any particular remedy provided by law does not prevent the Town from pursuing any other remedy, civil or criminal, as to the same or similar offense, against the same person who is in violation of this section, which the Town is allowed to pursue according to law."

Historical:

§59.2 added, LL#19-1990
§59.2 amended LL#6-2002
§59.1 – word “is” added to first sentence after typographical error discovered from the original text, 9/21/16
Chapter repealed and replaced, LL#5-2024