CHAPTER 74: BRUSH, GRASS, OR WEEDS

ARTICLE I - GENERAL PROVISIONS

§ 74.1 Title

This Chapter shall be known and may be cited as the "Brush, Grass, Rubbish or Weeds Law of the Town of Camillus."

§ 74.2 Declaration of Policy

Pursuant to the authority of Section 64(5-a) of the Town Law, it is hereby declared to be the policy of the Town of Camillus to provide for the safe and proper use of land and to prevent unsightly, unhealthful, hazardous, or dangerous conditions due to the growth of brush, grass or weeds, or the accumulations of cuttings thereof. By this Chapter the Town seeks to enforce said policy by causing such grass, brush or weeds to be cut, trimmed or removed and assess the costs against the real property upon which such conditions are found in the event of the failure of the property owner or occupant to so act. By this Chapter the Town Board also seeks to penalize the owner and occupant of such land for willfully ignoring notice served for violations of this Chapter.

§ 74.3 Regulation

A. It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant having control over any lot or land adjoining land on which is situated a dwelling house or building to permit or maintain on any such lot or land any growth of weeds, grass, brush or other rank vegetation to a height higher than ten (10) inches, on the average, on such portion of the lot or land including the public right-of-way, that is bounded by the street or highway abutting the property on the front and the front line of the dwelling house or building, including, as well, any side lawn or lawns abutting upon any lot upon which is situated a dwelling house or building, and to a depth at least equal to fifty (50) feet beyond the rear line of the dwelling house or building or to the rear property line, whichever is lesser. All such grass, brush, weeds or other rank vegetation shall be maintained and kept uniformly in height so as not to detract or devalue adjoining properties. No other vegetative growth shall be allowed in such a front and side yard except landscape and vegetable gardening. Such an owner or occupant shall not accumulate in such a front or side yard cut grass, brush or weeds or any other rank vegetation.

B. It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut or removed all such weeds, grass, brush or other rank vegetation as often as may be necessary to comply with the provisions of this Section.

C. The provisions of this Section, insofar as they relate to cutting weeds, grass, brush and rank vegetation from lots or lands, shall not apply to any lots or lands which are under cultivation in a good manner from which crops are regularly harvested for actual use

§ 74.4 Notice to be served

A. Notice. If the provisions of this Chapter are not complied with, the Code Enforcement Officer of the Town of Camillus, shall serve written notice upon the owner, lessee and/or occupant, whichever the case may be, to comply with the provisions of this Chapter. Such written notice shall be served by certified mail, return receipt requested, or personal service, as set forth in the last filed tax roll. In the case of an owner being a non-resident owner, notice mailed to such owned addressed to their last known address shall be sufficient service thereof. The Notice shall specify a date, not less than ten (10) days from the receipt of notice, within which such work must be completed. The Notice shall further provide that no additional notice will be given for subsequent violations in the same calendar year for the same property.

B. Failure to comply. If the person(s) upon whom such notice is served fails, neglects or refuses to cut and remove or cause to be cut and removed such weeds, grass, brush or vegetation within the date specified in the Notice, the Code Enforcement Officer of the Town of Camillus shall cause such weeds, grass, brush or other vegetation on such lot or land to be cut and removed without need of Town Board resolution, and the actual cost of such cutting and removal 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.

§ 74.5 Multiple Violations

Once the notice has been sent to the requisite person(s) in accordance with § 74.4(A) of this Chapter and the Town has removed the weeds, grass, brush or other vegetation in accordance with § 74.4(B), then no further notice is required in the same calendar year before the Town removes said weeds, grass, brush or vegetation again. The Town will be entitled to perform said removal once the property is in violation of this Chapter again. Each separate removal will become an additional lien on the property in accordance with § 74.4(B). As set forth in § 74.4(A), the notice required in § 74.4(A) shall recite that no additional notice will be given for subsequent violations in the same calendar year for the same property.

§ 74.6 Penalties

A. Any person(s) who shall neglect to cut and remove weeds, grass, brush or other vegetation as directed in this Chapter or who shall fail, neglect or refuse to comply with the provisions of any notice herein provided or who shall violate any of the provisions of this Chapter or who shall resist or obstruct the Town Board as officers of the Town of Camillus or their employees or designees in the cutting and removal of weeds, grass, brush and other vegetation shall be deemed in violation of this Chapter. 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 Chapter 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.

B. 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 Chapter, which the Town is allowed to pursue according to law.

HISTORICAL NOTE:

Repealed and replaced by LL#12-94
Repealed & replaced. LL#15-06
Chapter 74 renamed, amend §74.2 & §74.3, §74.4 repealed and replaced, repeal §74.5 & §74.6 & §74.7, new section §74.5, §74.8 renumbered to §74.6 and amended, LL#2-2024