

**A LOCAL LAW AMENDING CHAPTER 61 ENTITLED, BRUSH, GRASS AND WEEDS,
OF THE CODE OF THE VILLAGE OF DEPOSIT**

Be it enacted by the Village Board of Trustees of the Village of Deposit:

Section 1.

§61-2 entitled, "Penalties for Offenses", is amended as follows:

Violation of said height restrictions shall be punishable by a fine of not more than \$250.00 or imprisonment for not more than 15 days, or both such fine and imprisonment, for each day starting 72 hours after notification by the Code Enforcement Officer of the Village.

§61-3 entitled, "Brush, Grass and Weeds", is amended as follows:

In addition to the penalties provided under §61-2 of this Chapter, whenever the owner of the premises fails to remedy a violation under §61-1 of this chapter within 72 hours after the service of a Notice of Violation by the Code Enforcement Officer of the Village, it shall be the duty of the Code Enforcement Officer to remedy the violation and employees or agents of the Village shall be entitled to and are authorized to enter upon the premises to do same and the expense of such service shall be billed to the property owner of record. Upon the property owner's failure to pay said charge within 30 days of presentment, said charge shall be a lien upon the premises and shall be levied against said property owner and added to the next occurring tax bill.

§61-4 entitled, "Service of Notice", shall be added as follows:

Any notice required to be served pursuant to the provisions of this chapter shall be served as follows:

- a. By first-class mail, postage prepaid, to the owner, addressed to the last known address of the owner; and
- b. By attaching or placing a copy of said notice upon any structure on said lot or tract of land and, if no structure is available upon said lot or tract of land, by attaching said notice upon a post placed there for that purpose.

Service shall be deemed complete upon the completion of the mailing and posting.

§61-5. This shall take effect upon the filing of this local law with the Secretary of State.

Section 2.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this Local Law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this Local Law that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 3.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Chapter 61
BRUSH, GRASS AND WEEDS

§ 61-1. Height restriction.

§ 61-2. Penalties for offenses.

[HISTORY: Adopted by the Village Board of the Village of Deposit 7-9-1996 by L.L. No. 3-1996. Amendments noted where applicable.]

GENERAL REFERENCES

Property maintenance- See Ch. 102.

§ 61-1. Height restriction.

No owner shall maintain grass at a height greater than six inches.

§ 61-2. Penalties for offenses.

Violation of said height restrictions shall be punishable by a fine of not more than \$250.00 or imprisonment for not more than 15 days, or both such fine and imprisonment, for each day starting 72 hours after notification by the Code Enforcement Officer of the Village.

§ 61-3 Failure of owner to remedy; remedy by Village. (Am. By LL 6-2002)

In addition to the penalties provided under §61-2 of this Chapter, whenever the owner of the premises fails to remedy a violation under §61-1 of this chapter within 72 hours after the service of a Notice of Violation by the Code Enforcement Officer of the Village, it shall be the duty of the Code Enforcement Officer to remedy the violation and employees or agents of the Village shall be entitled to and are authorized to enter upon the premises to do same and the expense of such service shall be billed to the property owner of record. Upon the property owner's failure to pay said charge within 30 days of presentment, said charge shall be a lien upon the premises and shall be levied against said property owner and added to the next occurring tax bill.

§ 61-4 Service of Notice.

Any notice required to be served pursuant to the provisions of this chapter shall be served as follows:

- a. By first-class mail, postage prepaid, to the owner, addressed to the last known address of the owner; and
- b. By attaching or placing a copy of said notice upon any structure on said lot or tract of land and, if no structure is available upon said lot or tract of land, by attaching said notice upon a post placed there for that purpose.

Service shall be deemed complete upon the completion of the mailing and posting.

§61-5. Effective Date.

This shall take effect upon the filing of this local law with the Secretary of State.