

LOCAL LAW NO. I OF 2026

**A LOCAL LAW ESTABLISHING PROPERTY MAINTENANCE REGULATIONS
FOR THE VILLAGE OF CANASERAGA, NEW YORK**

Be it enacted by the Village Board of Trustees of the Village of Canaseraga, New York, as follows:

Section 1: Short Title

This local law shall be known as the "Property Maintenance Law" of the Village of Canaseraga.

Section 2: Purpose

A sanitary and hazard-free environment is declared to be of vital importance to the health, welfare, and safety of the inhabitants of the Village of Canaseraga. In addition, such an environment is deemed essential to the maintenance of and continued development of the economy of the Village of Canaseraga and the general welfare of its citizens. All properties in the Village of Canaseraga shall be maintained in a safe, clean condition and shall pose no risk to occupants, neighbors, and other Village residents.

Section 3: Applicability

All lots located within the Village of Canaseraga, whether improved or vacant, shall be maintained in conformity with the provisions of this local law.

Section 4: Conflict with Other Laws and Regulations

The provisions of this local law shall supplement all local laws, ordinances, codes, or regulations existing in the Village of Canaseraga and the other statutes and regulations of state and local agencies having jurisdiction applicable thereto, including the New York State Uniform Fire Prevention and Building Code (19 NYCRR) and the New York State Property Maintenance Code (19 NYCRR Part 1203). Where any provision of this law is found to conflict with any provision of any existing local law, ordinance, code, regulation, or other statute or regulation of a state or local agency, the provision or requirement which is more restrictive, or which establishes the higher standard, shall prevail, except that in the event of a conflict between this local law and

the New York State Uniform Fire Prevention and Building Code or any other state code or statute that expressly preempts local law, the state code or statute shall govern to the extent required by state law.

Section 5: Definitions

The words used in this local law shall have the following meanings:

Apparatus Turning Area — means an area designated by the Fire Chief or Code Enforcement Officer as necessary for fire apparatus to maneuver, including but not limited to cul-de-sacs, hammerheads, and turn-around areas, consistent with the requirements of the New York State Uniform Fire Prevention and Building Code.

Back Yard — The open space on a lot which extends across the full width and/or length of the lot between the back lot line and the nearest part of the main dwelling. A back yard shall not be between any road and the main dwelling.

Blighted Property — A property characterized by one or more of the following conditions, as determined by the Code Enforcement Officer: boarded windows, doors, entryways, or exits; broken or unsecured windows; excessive litter or debris; unkempt or unmaintained vacant property other than woodlands; overgrown grass or other overgrown vegetation or shrubbery inconsistent with the character of the Village; building exteriors in disrepair; junk vehicles, salvage, or scrap maintained on the property; graffiti; fencing in disrepair; outdoor lighting fixtures which are inoperable; abandoned construction; damaged, dead, or fallen trees or limbs which present a danger or could cause damage to any structure or utility; fire-damaged property which has not been timely repaired or restored; any material on any exterior structure that is not intended for exterior use; open roofs to the interior (open or closed structures); significantly peeling or deteriorated paint; stagnant water; open or unsecured wells, cesspools, or cisterns; vermin, rodent harborage, or infestation; any other factors deemed by the Code Enforcement Officer to pose a significant threat to the safety, health, and general welfare of the Village. Blighted property shall also include properties that contain outdoor storage of the following:

1. Household appliances, boxes, or furniture for a period in excess of seven days.
2. Unused construction materials; dirt, debris, trash, garbage, or uncovered refuse cans; accumulated refuse or garbage in covered refuse cans which are not properly disposed of in a timely manner.

3. Any storage of garbage or garbage containers that are visible from any publicly used area, such as, but not limited to, roads or commercial parking lots, outside of the 24 hours before and after scheduled garbage pickup times.

Code Enforcement Officer — The person appointed by the Village Board of Trustees pursuant to NYS Executive Law Article 18 to administer and enforce the New York State Uniform Fire Prevention and Building Code and such local laws as the Village Board may designate, including this local law. The Village Board may designate one or more additional officers, employees, or agents to assist in enforcement.

Commercial Establishment — A business use or activity, at a scale greater than a home-based business, involving retail or wholesale marketing of goods and services. Examples of commercial establishments include offices and retail shops.

Debris —

1. Includes all materials resulting from the construction, excavation, renovation, remodeling, repair, or demolition of structures, property, or roads, as well as materials consisting of vegetation resulting from land clearing and grubbing, utility line maintenance, and seasonal and storm-related cleanup. Such materials include, but are not limited to, bricks, concrete and other masonry materials, soil, rock, wood, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles, asphalt pavement, window frames, electrical wiring and components, plastics, carpeting, foam padding, linoleum, metals, or any combinations thereof which are incidental to the construction, excavation, renovation, equipping, remodeling, repair, or demolition of structures.
2. Such materials defined as "debris" shall not include materials which are being used on the owner's premises for an improvement where a building permit is in effect. In the event there is a building permit in effect and construction has been interrupted, any materials stored outdoors shall be adequately covered by tarps or equivalent material which will protect such materials from the weather. If it has been determined that the improvements have stopped progressing toward completion for an extended period, all materials will be classified as debris and require removal.

Dwelling Unit — A building or portion thereof that provides complete housekeeping facilities for one family or lessee whose total occupancy does not exceed the capacity of the building or portion thereof. Each dwelling unit shall have its own sleeping, cooking, and toilet facilities. A dwelling unit is designed for permanent occupancy and shall not be construed to include a hotel, motel, or other such use of a transient nature.

Dwelling, Single Family — A building that contains one dwelling unit.

Dwelling, Two Family — A building that contains two dwelling units.

Dwelling, Multiple Family — A building that contains three or more separate dwelling units.

Environmental Contamination — The presence or release of oils, fuels, chemicals, hazardous materials, or other pollutants into soil, groundwater, surface water, stormwater systems, or sanitary sewer systems in a manner that violates applicable federal, state, or local regulations.

Family — A group of a person's closest relatives, including parents, siblings, spouse, parent-in-law, grandparents, grandchildren, civil partner, cohabiting partner, and children by birth, marriage, guardianship, or adoption.

Front Yard — The open space on a lot extending across the full width of the lot between the front lot line and the nearest point of the principal structure. On corner lots or lots abutting more than one road, each yard situated between the principal structure and a road-facing lot line shall be considered a front yard, irrespective of mailing address. All front yard regulations shall apply to each such yard accordingly. Where no principal structure exists on a lot, the entire lot shall be deemed the front yard and all front yard regulations shall apply to the lot in its entirety, with the exception of wooded lots.

Garbage — The animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food, whether from a business or residential premises.

Hazardous Materials — Any substance that may pose a risk to public health, safety, or the environment, including, but not limited to, gasoline, diesel fuel, motor oil, transmission fluid, antifreeze, brake fluid, solvents, and similar automotive chemicals.

Home-Based Business — Any land use or activity undertaken for gain within a dwelling unit, or within a structure that is accessory to the dwelling unit and on the same lot, by a resident or residents thereof. A home-based business is an accessory use and shall be clearly incidental and secondary to the use of the structure as a residence.

House Wrap — A flexible sheet membrane material installed on the exterior wall sheathing of a building as a weather-resistive barrier (WRB) to reduce air infiltration and provide a secondary barrier to moisture penetration behind exterior wall cladding. Examples include synthetic building wrap materials commonly installed beneath siding or other exterior finishes. A Weather-Resistive Barrier (WRB) is any material or assembly installed in a wall system to resist the passage of water into the wall cavity and to protect the structural wall components behind the exterior cladding. WRBs may include house wrap, building paper, or other approved materials installed behind exterior wall coverings.

Industrial Establishment — A business use or activity that involves manufacturing, fabrication, assembly, warehousing, and/or storage.

Infestation — The presence, within or contiguous to a structure or lot, of insects, rodents, wild animals, vermin, or other pests.

Inoperable — No longer capable of performing the purpose for which an object is designed.

Junk — The open storage or deposit of any of the following shall constitute junk:

1. One or more junk vehicles.
2. One or more junk mobile homes, motor homes, or recreational vehicles.
3. One or more junk watercrafts.
4. One or more junk ATVs, side-by-sides, or other off-road vehicles.
5. One or more inoperable pieces of construction equipment.
6. One or more inoperable pieces of farm equipment.
7. One or more discarded or inoperable household appliances, including but not limited to washers, dryers, dishwashers, stoves, refrigerators, freezers, and televisions.
8. One or more discarded or irreparably damaged pieces of furniture, including but not limited to sofas, lounge chairs, mattresses, bed frames, desks, tables, chairs, and chests of drawers.
9. Disassembled vehicle parts, other disassembled machinery, bicycles, or appliances; parts of machinery, parts of vehicles, or parts of appliances.
10. One or more inoperable pieces of lawn equipment.
11. One or more inoperable recreational vehicles.
12. Tires which do not meet New York State requirements for highway use.
13. Scrap metal, paper, rags, or lumber, except that cordwood being used for household purposes shall not be construed to be "junk."

Junk Mobile Home — Any mobile home which meets two of the three following conditions for six months or more:

1. The electrical service is disconnected or terminated.
2. It is abandoned as a dwelling unit.
3. It is no longer habitable for residential occupancy pursuant to the New York State Building Code.

Junk Vehicle —

1. Any vehicle intended for travel on the public highways or waterways which is:
 - a) Unlicensed for a period exceeding three (3) months; or

- b) Abandoned, wrecked, discarded, dismantled, or partly dismantled; or
 - c) Unregistered for a period exceeding six (6) months; or
 - d) Subject to an expired inspection for a period exceeding three (3) months.
2. Any vehicle not required to be licensed, or any vehicle not intended for use on public highways or on waterways, shall be deemed a junk vehicle if:
 - a) Such vehicle has remained unused for more than six (6) months; or
 - b) It is not in usable condition according to the standards set forth in the owner's manual.
 3. Any used parts or waste materials which, taken together, equal in bulk one or more such vehicles.

Junkyard — The open storage or deposit of any of the following will be considered a junkyard and shall require a junkyard license from the Village of Canaseraga as provided in Section 17 of this local law:

1. Two or more junk vehicles.
2. Two or more junk mobile homes.
3. Two or more inoperable pieces of construction equipment.
4. Two or more discarded or inoperable household appliances, including but not limited to washers, dryers, dishwashers, stoves, refrigerators, freezers, and televisions.
5. Two or more discarded or irreparably damaged pieces of furniture, including but not limited to sofas, lounge chairs, mattresses, bed frames, desks, tables, chairs, and chests of drawers.
6. Any combination of the above, or parts of the above, that total two or more items.
7. Disassembled vehicle parts or other disassembled machinery or appliances, or scrap metal, paper, lumber, or rags.

Litter — Garbage and/or rubbish as herein defined, and all other waste material which, if thrown, deposited, or left on the side of the road as herein prohibited, tends to create a danger to public health, safety, and welfare.

Mobile Home — Any enclosed dwelling built upon a chassis, used or designed to be used for either permanent or temporary living and/or sleeping purposes, including motor homes, truck campers, camping trailers, travel trailers, pop-up trailers, tent trailers, and overnight trailers.

Motor Vehicle — Any vehicle propelled or drawn by mechanical power and designed for use upon public highways, including automobiles, trucks, vans, buses, motorcycles, and similar vehicles, as defined under the laws of the State of New York.

Open Storage — Storage other than in a completely enclosed structure.

Owner — Any person, firm, corporation, limited liability company, or other legal entity who, individually or jointly or severally with others, holds the legal or beneficial title to any building, facilities, equipment, or premises subject to the provisions of this chapter.

Person — One or more individuals of either sex, firms, corporations, partnerships, associations, companies, or organizations of any kind.

Principal Structure — The primary building or structure on a lot in which the main or predominant use of the lot is conducted. On residential lots, the principal structure is the dwelling unit. On non-residential lots, it is the building housing the primary permitted use.

Public Nuisance Affecting Health — A nuisance that is an occupation of or use of property, equipment, or structures, either private or public, affecting the health or well-being of one (1) or more people.

Public Hazard Tree — Any tree or portion thereof that is dead, diseased, damaged, structurally unstable, or otherwise in such condition that it poses a risk of falling or causing injury or damage to persons, property, public streets, sidewalks, utilities, or other public areas.

Public View — Visible from any public street, sidewalk, public right-of-way, park, or from any adjoining property at ground level without the aid of special equipment.

Recycling Center — An establishment designed to be a collection point where recyclable materials are sorted and/or temporarily stored prior to delivery to a permanent disposal site or shipment to others for reuse or reprocessing. Recyclable materials include, but are not limited to, metal, cans, glass, plastics, and newspaper, books, and other paper products. Batteries and other hazardous materials shall not be "recyclable materials" for the purpose of this local law.

Residential Premises — A building or combination of buildings used solely for the personal living purposes of the occupants thereof, whether as owners or tenants, and not used for any business purposes except an allowable home-based business. Residential premises shall be either a single-family dwelling, a two-family dwelling, or a multiple-family dwelling.

Rubbish — Combustible and noncombustible waste materials, except garbage. The term shall include the residue from the burning of wood, coal, coke, and other combustible materials; paper, rags, cartons, boxes, barrels, wood, excelsior, rubber, leather, tree branches, yard trimmings, leaves, cans, bottles, metals, mineral matter, plastics, glass, crockery, wood furniture and bedding; small quantities of rock, brick, and concrete; dirt, dust, and ashes; dead animals; and any and all tangible personal property no longer intended or in condition for ordinary and customary use; and other similar materials.

Screening — A fence, wall, vegetation, or other barrier approved by the Village that sufficiently obstructs the view of vehicles, vehicle parts, or related materials from public view.

Trash — Any or any combination of the following: litter, rubbish, garbage, junk, waste materials, and debris.

Temporary Structure --- For the purposes of Section 18 of this local law, any camper, recreational vehicle, travel trailer, motorhome, or tent. See Section 18(1) for full provisions governing temporary structures.

Unoccupied Structure — A structure that has been vacated for a period of less than 12 months but greater than 3 months and is not actively used as a place of residence, business, or storage. Residences and businesses may still contain furniture and fixtures, but their customary activities or operations are temporarily halted.

Vacant Parcel — A parcel of land with no principal structure located on it.

Vacant Structure — A building or structure, or a portion thereof, shall be deemed vacant if it has not been used or occupied for 12 consecutive months, or, if in a lesser period, there is a manifestation of clear intent on the part of the owner to abandon the building or structure.

Vehicle — Any means of transport or conveyance originally intended for travel on public highways, private property, or public or private waterways, which was originally designed and manufactured (1) to be moved or propelled by other than muscular power; or (2) to be drawn or towed.

Vehicle Parts — Any component, accessory, assembly, or section of a motor vehicle, including but not limited to engines, transmissions, body panels, doors, hoods, bumpers, tires, wheels, batteries, and similar items.

Vehicle Repair Shop — Any building, structure, premises, or portion thereof used for the business of diagnosing, servicing, repairing, altering, or maintaining motor vehicles, including but not limited to mechanical repair, body work, painting, tire replacement, lubrication, or similar services, whether conducted for compensation or as part of a commercial enterprise.

Waste Material — Waste produced by industrial or manufacturing processes, including but not limited to food processing waste, boiling house cinders, lumber scraps and shavings, slag, industrial sludge or other chemical wastes and by-products, tires and oils, and large amounts of wood, concrete, rocks, brick, sand, and other wastes from building operations.

Wooded Lot — A lot on which no less than fifty percent (50%) of the total lot area is covered by an established natural tree canopy consisting predominantly of trees with a trunk diameter of six (6) inches or greater measured at breast height (4.5 feet above grade), as determined by the Code Enforcement Officer.

Yard — An unoccupied space on the same lot with a building or structure.

Section 6: Responsible Party

The owner is the responsible party for all provisions of this local law unless explicitly stated otherwise in a particular provision. For the full duties and responsibilities of owners, occupants, tenants, and other persons in control of premises, see Section 20 of this local law.

Section 7: Exterior Maintenance

1. The exterior of a structure shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety, or welfare of the residents of the Village of Canaseraga.
2. Fences and retaining walls shall be maintained in a safe and undamaged condition and be of sound construction.
 - a) Only generally accepted materials shall be used for fences, retaining walls, boundary lines, or segregated areas, such as treated wood, vinyl, aluminum, wrought iron, composite, concrete (poured and block), and natural stone. No temporary fencing or wall shall be placed unless used for construction purposes, and any such fencing or wall must be removed immediately when construction has stopped.
 - b) A snow fence may be erected from September 1st to May 1st, with allowances for extreme weather.
3. In the case of multifamily premises and commercial premises, all steps, walkways, driveways, parking spaces, and similar paved areas shall be maintained to afford safe passage under normal use and weather conditions.
4. No snow removed from driveways, walkways, or other areas shall be deposited upon public streets or highways. The owner of the property shall be held liable for any violation of this provision even if the snow removal is contracted to a third party.
5. Fire hydrant clearance shall be maintained in accordance with Section 12 of this local law.
6. In the case of multifamily premises and commercial premises, all driveways and parking spaces provided shall be kept in good repair and shall be safe for the passage of people and vehicles. Such driveways and parking spaces shall be regularly cleaned to avoid the accumulation of dirt, paper, and other debris.

7. Heavy undergrowth and accumulation of plant growth which are unsightly, noxious, or detrimental to health shall be eliminated or removed. Hedges and shrubs shall be kept pruned or trimmed.
8. Grass and turf in any front yard shall not exceed seven inches (7") in height. This restriction also applies to grass on any portion of the property located within a thirty-foot (30') radius measured outward in any direction from the exterior walls of any structure on the lot, except where the property line is reached sooner, in which case the measurement stops at the property boundary. Height shall be measured from the ground level at the base of the grass blade to the tip of the blade at its highest point. Lawns and maintained turf areas are subject to this standard; however, the following are exempt: ornamental plantings; established native plant meadows or pollinator gardens approved in writing by the Code Enforcement Officer upon application by the property owner; agricultural crops on properties used for agriculture; and areas intentionally set aside for erosion control or wildlife habitat where a written permit has been granted by the Code Enforcement Officer. Property owners are responsible for maintaining grass to comply with this height requirement. Failure to do so may result in enforcement actions including fines, Village abatement of the nuisance with the cost charged to the property owner, or other remedies allowed by law.
9. Any tree cut down shall be promptly removed from the property within 60 days.
10. Vacant lots shall be kept clean and free of physical hazards, tires, debris, vermin harborage, and infestations. Open wells, cesspools, cisterns, pits, holes, and all other declivities shall be securely closed, covered, or barricaded from access. Dead or incurably diseased trees shall be cut down, and the diseased portion thereof shall be removed and destroyed.
11. No owner or occupant shall store, place, or allow to accumulate items such as, but not limited to, refuse, garbage, rubbish, litter, debris, or other materials of any kind or nature which may serve as food for rodents, pigeons, wild animals, or other pests, or which would attract such pests to congregate, occupy, breed, or live upon or be attracted to the property. For general prohibitions on accumulation of waste and debris on all premises, see Section 11 of this local law.
12. The owner shall keep every part of the premises that the owner owns, including the steps, walkways, driveways, and parking areas, in a clean, sanitary, and safe condition and free from items such as, but not limited to, litter, debris, paper, dirt, garbage, and junk, and, except for improvements underway, in good repair.

13. The owner of the property upon which a tree requiring trimming or removal is located shall be responsible for all costs associated with the safe trimming, removal, and disposal of such tree. These costs shall include, but not be limited to, the cutting of the tree, removal and lawful disposal of all portions of the tree, and the cleanup of all branches, logs, and other debris resulting from the trimming or removal. The property owner shall also be responsible for the cleanup and removal of any portions of the tree that come to rest on the subject property or on any adjacent property as a result of the trimming or removal process.

a) In the event that a tree requiring trimming or removal is located on or near a property boundary line, responsibility for the tree shall be presumed to rest with the owner of the property upon which the trunk of the tree is primarily located. If the ownership of the tree cannot be reasonably determined, or if the tree appears to be located on a boundary line between two or more properties, the matter shall be considered a private civil matter between the affected property owners. The Village and its Code Enforcement Officer shall not make a binding determination of property ownership. The Code Enforcement Officer may make observations for enforcement purposes; however, any dispute regarding property boundaries or ownership of a tree shall be resolved by the property owners through appropriate legal means.

b) No tree shall be planted closer than three (3) feet to any property line, measured from the center of the trunk at the time of planting. See Section 8 (Public Tree Hazard) for further tree provisions.

14. If any canopy, marquee, sign, awning, fire escape, standpipe, exhaust duct, or similar projecting structure is found to be unsafe, insecure, or improperly maintained, the Code Enforcement Officer may issue a written notice to the property owner directing that the structure be repaired, secured, or removed within a period of not more than thirty (30) days unless conditions warrant a shorter period. If the property owner fails to comply within the time specified, the Village may cause the necessary repairs or removal to be performed. All costs incurred by the Village shall be recovered in accordance with Section 21(9) of this local law.

Section 8: Public Tree Hazard

1. Determination of Hazard. The Code Enforcement Officer, or other authorized Village official, may inspect any tree when there is reasonable cause to believe that such tree

constitutes a public hazard. If, upon inspection, the tree is determined to present a risk to public health or safety, it may be declared a public hazard tree.

2. Notice to Property Owner. If a public hazard tree is located on private property, the Village shall provide written notice to the property owner directing that the tree be trimmed, removed, or otherwise made safe within a specified period of not less than sixty (60) days, unless conditions warrant a shorter period.
 3. Failure to Comply. If the property owner fails to comply with the notice within the time specified, the Village may cause the tree to be trimmed, removed, or otherwise made safe.
 4. Emergency Conditions. When a tree presents an immediate danger to public safety, the Village may take necessary action to remove or secure the tree without prior notice to the property owner.
 5. Costs. All costs incurred by the Village in trimming, removing, or otherwise securing a public hazard tree, including actual expenses for labor, third-party contractors, equipment, materials, and disposal, shall be recovered in accordance with Section 21(9) of this local law.
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Section 9: Vegetation Obstructing Traffic Visibility

1. Intersection Sight Triangle. At the intersection of any two streets, a clear sight triangle shall be maintained. The sight triangle shall be formed by measuring thirty (30) feet along the edge of pavement of each intersecting roadway from the point of their intersection and connecting the two points so established. Within this triangle:
 - a) No tree, shrub, hedge, or other vegetation shall exceed thirty (30) inches in height above the elevation of the adjacent roadway surface.
 - b) Existing trees may remain, provided all branches are trimmed to a minimum height of eight (8) feet above the ground within the triangle.
2. Driveway and Egress Sight Distance. At any driveway or other vehicular access to a public street, vegetation shall not obstruct visibility within a triangular area formed by:
 - a) Measuring ten (10) feet back from the edge of pavement along the centerline of the driveway; and
 - b) Measuring seventy-five (75) feet along the edge of pavement in each direction from the point where the driveway meets the roadway. Within this area:

- i. No vegetation shall exceed thirty (30) inches in height above the roadway elevation.
 - ii. Existing trees may remain, provided all branches are trimmed to a minimum height of eight (8) feet above the ground.
 3. Overhanging Vegetation. Vegetation adjacent to public rights-of-way shall be maintained so that:
 - a) A minimum vertical clearance of eight (8) feet is maintained above sidewalks; and
 - b) A minimum vertical clearance of fourteen (14) feet is maintained above roadways.
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Section 10: Buildings and Structures

1. Exterior exposed surfaces shall be repaired and maintained.
2. Exterior walls, roofs, and porches, or appurtenances thereto, shall be structurally maintained.
3. Foundations shall be maintained in good condition and structurally sound.
4. Exterior walls, roofs, and other parts of the building shall be free from loose and unsecured objects and materials. Such objects or materials shall be removed, repaired, or replaced.
5. Exterior Wall Coverings Required. The exterior of every building or structure shall be maintained with durable exterior wall covering materials designed and manufactured for permanent exterior use, installed in accordance with generally accepted construction practices so as to provide a weather-tight and structurally sound exterior surface. Acceptable exterior wall covering materials include, but are not limited to:
 - a) Vinyl siding
 - b) Wood siding or clapboard
 - c) Engineered wood siding
 - d) Fiber-cement siding
 - e) Aluminum or steel siding
 - f) Brick or brick veneer
 - g) Stone or stone veneer
 - h) Stucco or exterior insulation and finish systems (EIFS)
 - i) Exterior-grade metal panels

- j) Exterior composite siding products
- k) Masonry block intended to remain exposed. Exterior wall coverings shall be maintained in good repair and free from holes, loose materials, rot, or other conditions that permit weather intrusion or deterioration of the structure.

Enforcement Clarification: The Code Enforcement Officer may determine whether a material is designed for permanent exterior use based on manufacturer specifications or generally accepted construction standards.

6. Weather-Resistive Barriers. For the purposes of this section, a Weather-Resistive Barrier (WRB) means a material or assembly installed behind exterior wall cladding to resist water penetration into the wall system. House wrap or similar membrane materials used as a WRB shall not be used or maintained as the final exterior surface of any building or structure. Where a WRB becomes exposed due to construction, renovation, or damage to exterior wall coverings, permanent exterior cladding shall be installed within thirty (30) days of written notice from the Code Enforcement Officer.
7. Temporary Boarding of Exterior Openings. Plywood or similar rigid sheathing materials may be used only as a temporary emergency measure to secure a building opening, including windows, doors, or other exterior openings, when necessary for the safety or security of the structure. Temporary boarding shall:
 - a) Be securely fastened and maintained in a weather-resistant condition; and
 - b) Where visible from a public street or adjoining property, be painted or finished to reasonably match the exterior color of the building. Temporary boarding shall not remain in place for longer than thirty (30) days from the date of written notice from the Code Enforcement Officer. Within that time period, the damaged window, door, or other exterior opening shall be repaired or replaced with permanent materials designed for exterior use designated in Section 10(5).
8. Prohibited Exterior Materials. Materials not designed as finished exterior wall coverings shall not be used or maintained as a permanent exterior surface, including but not limited to:
 - a) Plywood or oriented strand board (OSB)
 - b) House wrap or other WRB materials
 - c) Tarps, plastic sheeting, or similar coverings
 - d) Insulation board not designed as exterior cladding
9. Vacant Buildings — Maintenance and Securing. Vacant buildings shall be maintained and secured to prevent hazards and conditions that are unsightly, unsafe, or detrimental to

the appearance or safety of the neighborhood. Conditions constituting a public nuisance include, but are not limited to:

- a) Broken or missing windows or doors
- b) Loose, damaged, or missing exterior siding or roofing
- c) Peeling, chipping, or deteriorated paint
- d) Graffiti, excessive trash, or debris on the property
- e) Overgrown, dead, or unmanaged vegetation
- f) Exposed or deteriorated structural elements
- g) Plywood or other temporary materials left as a permanent exterior finish. All vacant buildings must be secured against unauthorized entry and maintained in a condition that preserves neighborhood safety and aesthetics.

10. Existing Conditions. Any building or structure not in compliance with this section at the time this law takes effect shall be brought into compliance within sixty (60) days of written notice from the Code Enforcement Officer, unless an extension is granted for good cause. Where a specific section of this law provides a different cure period, that specific period shall govern.

11. Maintenance of Site and Adjoining Roads During Construction.

- a) During the construction of any new building or structure, or during its reconstruction or alteration, the owner shall cause the site and adjoining roads to be kept free from all garbage, rubbish, litter, and debris (including construction debris, trash, and the like) to the extent practicable.
- b) The owner of the construction site shall cause appropriate sanitary disposal facilities for the use of construction workers to be placed and maintained at the construction site as required by applicable laws, rules, and regulations, or as the Code Enforcement Officer shall determine to be suitable for the number of construction workers at the site.

Section 11: Prohibited Accumulations and Open Storage

The following accumulations and forms of open storage are prohibited on all properties within the Village of Canaseraga, whether residential, commercial, industrial, vacant, or improved, except as otherwise permitted by this local law:

1. The open storage of junk, garbage, litter, rubbish, and/or waste materials, regardless of quantity.

2. Any decomposable organic matter which might create a nuisance or act as a breeding place for flies or bugs or as food for rats or vermin.
3. Any discarded material or object that can hold water, which might serve as a breeding place for mosquitoes or harbor vermin.
4. Any junk vehicle, junk mobile home, junk recreational vehicle, or junk ATV, junk side-by-side, or other junk off-road vehicle.
5. Vehicle parts, tires, scrap metal, lumber, construction materials, or inoperable appliances stored in the open. Leaves and branches may be temporarily stored on the property only if actively gathered for disposal, and such temporary storage shall not exceed thirty (30) days. All other materials listed in this subsection must be properly stored or disposed of in accordance with applicable local, county, and state codes.
6. Any materials stored outdoors that would attract or serve as harborage for rodents, pigeons, wild animals, or other pests.
7. No person shall throw or place any papers, trash, garbage, rubbish, or junk in any street or street right-of-way, park, creek or creek bank, or any other public lands, except at the time and in the manner provided for the collection of garbage.
8. No person shall throw, cast, deposit, or allow to accumulate any junk, as defined herein, unless such person has a valid special use permit from the Village of Canaseraga for a recycling center.
9. No person shall allow or permit the continuance of a public nuisance affecting health, as defined herein.
10. **Exceptions.** Nothing in this section shall be construed to prohibit the temporary storage of garbage or rubbish awaiting removal, provided that such storage is in receptacles that meet the requirements of this local law; nor shall this section be construed to prohibit the depositing of manure or fertilizers upon private property for the purpose of cultivating or improving the same.
11. Storage Structures — Placement and Setbacks.
 - a) Front Yard Prohibition: No storage structure shall be placed in the front yard or within twenty (20) feet of the edge of any public road.
 - b) Side and Rear Yard Placement: Storage structures may be located in the side or rear yard but must be set back at least four (4) feet from any property line.

- c) Aesthetic Considerations: Storage structures shall be sited and oriented to minimize visual impact from neighboring properties and public streets. Placement should consider:
 - i. Screening with fencing, landscaping, or other visual buffers;
 - ii. Alignment with existing structures to maintain neighborhood character;
 - d) The placement of such items shall be located so that they do not create a hazard, obstruct drainage, interfere with access, or adversely affect neighboring property.
 - e) Design and Appearance: Where practical, storage structures should be finished or painted in colors and materials compatible with the primary building or surrounding structures to maintain a visually harmonious appearance.
12. Any property determined to be a blighted property by the Code Enforcement Officer shall be given written notice to correct the violation within thirty (30) days. If the property is not brought into compliance within the specified period, the Village may seek weekly fines through the Village Justice Court. For complex corrective work requiring permits or contractors, the Code Enforcement Officer may, at their discretion, grant a reasonable extension of up to ninety (90) days if the property owner submits a work plan and timeline.
13. The Code Enforcement Officer or other authorized Village official may inspect any property to determine compliance with the provisions of this section and may require the removal or lawful disposal of any accumulated materials that violate this section in accordance with Section 21.
14. No tires shall be left outdoors and visible. They shall be disposed of according to all applicable laws by the owner.

Section 12: Fire Safety and Emergency Access

1. Fire Hazards Prohibited

No person shall create, maintain, or permit any condition on any property that constitutes a fire hazard as defined by the New York State Uniform Fire Prevention and Building Code (19 NYCRR) or as determined by the Code Enforcement Officer or Fire Chief based on objective, observable conditions. Such conditions include, but are not limited to, the accumulation of combustible materials in quantities or arrangements that present a reasonable risk of ignition, or conditions that impede firefighters' or first responders' access or safety.
2. Open Burning Restrictions

- a) Uncontrolled fires are prohibited.
- b) Bonfires shall not exceed four (4) feet in width, four (4) feet in length, or three (3) feet in height, measured at the base of the fire from the ground surface to the highest point of the burning material. All measurements shall be taken prior to ignition or at any point during burning at the discretion of the Code Enforcement Officer or Fire Chief.
- c) The burning of garbage, refuse, toxic substances, or materials producing offensive or noxious odors is prohibited.
- d) Burning of clean, non-treated wood may be permitted where allowed by applicable state regulations.
- e) All open burning shall comply with applicable New York State regulations. Where this local law imposes stricter requirements than applicable state regulations, the stricter local requirements shall govern, consistent with Section 4 of this local law, unless expressly preempted by state law.

3. Fire Hydrant Clearance

- a) A minimum clearance of thirty-six (36) inches shall be maintained around all fire hydrants.
- b) Property owners or occupants shall remove snow, vegetation, and any other obstructions that interfere with access to fire hydrants.

4. Emergency Access and Fire Lanes

- a. No person shall obstruct or restrict access required for emergency response, including fire lanes, access drives, or apparatus turning areas.
- b. No structure, storage, vegetation, or condition shall:
 - i. Block or interfere with emergency vehicle access;
 - ii. Obstruct designated fire lanes; or
 - iii. Impede firefighting or rescue operations.
- c. Temporary structures shall not be placed in a manner that interferes with emergency access or fire lanes.

5. First Responder Safety

No building, structure, or property condition shall:

- a) Create a hazard to firefighters or first responders entering or operating within the structure; or
- b) Contain conditions that increase risk during emergency response, including structural instability, blocked exits, or unsafe access points.

- c) Nothing in this subsection shall be construed to create any duty of care giving rise to a private right of action against the Village, its officers, or employees beyond that established by applicable state law.

6. Authority of Fire Chief

- a. Scope of Authority. The Fire Chief is hereby authorized, pursuant to Municipal Home Rule Law §10, to enforce the provisions of Section 12 of this local law only. This authority does not extend to any other section of this local law or to independent enforcement of the New York State Uniform Fire Prevention and Building Code.
- b. **Enforcement Powers.** Within the scope of subsection (a), the Fire Chief may:
 - i. Inspect properties for violations of this section, consistent with Section 21(3) of this local law;
 - ii. Issue written Notices of Violation to any responsible party;
 - iii. Issue appearance tickets pursuant to NYS Criminal Procedure Law §150.20(1)(b); and
 - iv. Refer violations to the Village Justice Court for prosecution and fines under Section 12(7).
- c. State Fire Code. When the Fire Chief identifies a condition that may also violate the New York State Uniform Fire Prevention and Building Code, the Fire Chief shall notify the Code Enforcement Officer, who shall take appropriate enforcement action. The Fire Chief and Code Enforcement Officer may conduct joint inspections and take concurrent action where conditions violate both this section and applicable state code.
- d. Emergency Authority. Nothing in this section limits the Fire Chief's authority under state law to take immediate action to protect life and property during an active emergency.
- e. Concurrent Authority. The Fire Chief's authority under this section is independent of and in addition to the authority of the Code Enforcement Officer.

7. Fines and Penalties

- a) Open burning violations shall be subject to immediate enforcement with no cure period. All other violations of this section shall be subject to the cure period and fine structure specified below.
- b) Open Burning Violations restrictions set forth in this section shall be subject to the following independent fine schedule, separate from all other fine provisions of this local law:
 - i. First offense: \$50.00
 - ii. Each subsequent offense within eighteen (18) months of the 1st offense shall double the most recently assessed fine, as follows:

1. 2nd offense: \$100.00
 2. 3rd offense: \$200.00
 3. 4th offense: \$400.00
 4. 5th offense and beyond: \$800.00 per offense
- iii. Each separate incident of open burning in violation of this section constitutes a distinct offense for purposes of this schedule.
 - iv. After eighteen (18) months have elapsed from the date of the first offense without a subsequent violation, the fine schedule shall reset, and any new violation shall be treated as a first offense.
 - v. All fines shall be doubled during any open burning ban issued by the New York State Department of Environmental Conservation (DEC) or declared by the Governor pursuant to applicable state law. The determination that a burn ban is in effect shall be made by the Code Enforcement Officer or Fire Chief based on official DEC or state government notice.
- c) Fire Hydrant Clearance Violations. A first violation shall be subject to a twenty-four (24) hour cure period from the time of notice, during which the property owner or occupant shall remove all obstructions. If a second or subsequent violation occurs at the same property within twenty-four (24) months of the first violation, no cure period shall apply, and fines shall be imposed immediately upon notice. Fire hydrant violations shall be subject to a flat fee of \$50.00 per violation. If the Village is required to clear the obstruction, the cost of such corrective action shall be assessed against the property owner in addition to any applicable fine, in accordance with Section 21(9) of this local law.
 - d) All Other Fire Safety Violations. All violations of this section not involving open burning or fire hydrants shall be subject to a fifteen (15) day cure period from the date of the Notice of Violation, consistent with Section 21(5) of this local law. If the violation is not corrected within that fifteen (15) day period, fines shall be assessed in accordance with the standard fine structure set forth in Section 21(8) of this local law.
 - e) Payment. All fines assessed under this section shall be paid to the Village Clerk. Unpaid fines shall be recoverable through the Village Justice Court and may be levied against the property as a tax lien in accordance with Section 20(1)(a) of this local law.
 - f) No Waiver for Open Burning. Notwithstanding the Village Board's general authority to waive fees or penalties for a first offense under Section 21(8)(e), no such waiver shall apply to open burning violations under this section.
8. Relationship to State Fire Code

This section is intended to supplement the New York State Uniform Fire Prevention and Building Code (19 NYCRR) and the New York State Property Maintenance Code (19 NYCRR Part 1203). Where a conflict exists between this section and any applicable state code or regulation, the more restrictive provision shall apply, consistent with Section 4 of this local law, unless a specific provision of state law expressly preempts local regulation, in which case the state standard shall govern only to the extent required.

Section 13: Indoor/Outdoor Furniture

1. Indoor Furniture Prohibited Outdoors. Furniture that was designed and manufactured for indoor use shall not be placed, stored, or kept outdoors at any time, whether or not it is visible to the public. All indoor furniture shall be stored inside an enclosed building or structure.
 2. Outdoor Furniture Standards. Furniture that is designed and manufactured for outdoor use may be kept outdoors provided it meets all of the following standards:
 - a) It shall be in good repair and shall not be dilapidated or structurally unsound.
 - b) If upholstered, the springs, stuffing, frame, and/or other parts of the interior materials shall not be visible.
 - c) It shall not be in such a condition that it either harbors, or has the potential to harbor, insects, fleas, rodents, mold, bacteria, or other nuisances.
 - d) It shall be suitable for outdoor use both in terms of its condition and the purpose for which it was originally intended or manufactured.
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Section 14: Infestation and Screening

1. Yards, grounds, buildings, and structures shall be maintained free of insects, vermin, rodents, and other infestations. Methods used for exterminating infestations shall conform to generally accepted practice.
 2. Where the potential for rodent or other infestation exists, windows and other openings in basements and cellars shall be appropriately screened with wire mesh or other suitable materials.
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Section 15: Litter

Residential premises, commercial premises, and industrial premises shall be maintained free of litter. This section shall not prohibit the storage of garbage and rubbish for a reasonable period of time prior to collection, in receptacles that meet the requirements of this local law and are not visible to the public. For general accumulation prohibitions applicable to all premises, see Section 11 of this local law.

Section 16: Garbage and Rubbish

1. General Standards.

- a) Garbage and rubbish shall be regularly collected and removed from the premises.
- b) No person shall place, or cause to be placed, garbage or rubbish out for pickup prior to twenty-four (24) hours before the scheduled pickup time. No garbage, rubbish, garbage cans, or containers shall be visible to the public 24 hours after the garbage pickup time, as stated in subsection (c) of this section.
- c) Garbage pickups will occur on such day or days as designated by resolution of the Village Board of Trustees. The Village Board reserves the right to extend, change the pickup day, or provide exceptions due to holidays or other circumstances.
- d) All garbage and rubbish containers shall be secure from all rodents, pigeons, wild animals, or other pests at all times. The lid shall remain closed and not be lifted by the garbage inside.
- e) Adequate sanitary facilities and approved methods shall be used for the collection, storage, handling, and disposal of garbage and rubbish, in accordance with all applicable local, county, and state codes, regulations, and ordinances. The Code Enforcement Officer or other authorized Village official may inspect any premises to ensure compliance and may order corrective action if garbage or rubbish is not managed in accordance with these requirements.
- f) Any trash, debris, or leftover materials placed at the curb for garbage collection that remain after pickup by the waste collection service must be removed from public view and properly disposed of within 24 hours after the collection has occurred, or no later than 12:00 p.m. on the day following the scheduled collection day, whichever occurs first.

- g) Items intended for free giveaway may be placed at the side of the road beginning at 12:00 p.m. on the Wednesday preceding the scheduled collection day and must be removed by 12:00 p.m. on the Saturday following collection day.
 - h) Garbage, rubbish, trash, or other materials shall not be allowed to accumulate on exterior structures such as porches, decks, patios, or similar areas in a manner that:
 - i. Creates a fire or safety hazard; or
 - ii. Promotes an infestation of insects or rodents; or
 - iii. Covers more than 50% of the usable surface area of the structure, or exceeds 4 cubic feet in total volume.
2. Residents are permitted to place garbage and trash at the curb for collection only in approved garbage containers with lids secured, with all loose garbage enclosed in durable plastic bags placed within the container. Recyclables must be placed in containers specifically approved for recycling. Materials may not be placed at the curb more than 24 hours before the scheduled collection time.
3. Commercial and Industrial Establishments and Multiple-Family Dwellings.
- a) No open storage of garbage or rubbish shall be permitted, except in fully enclosed container(s). Containers shall be made of metal, heavy-duty plastic, or similar materials as may be approved by the Village Board of Trustees. Containers shall be sturdy enough to prevent the entrance of wild animals, domesticated animals, rodents, and birds. If a dumpster is used, the lid shall be kept closed except when garbage or rubbish is placed inside it.
 - b) The area used for the placement of dumpsters or other approved garbage or rubbish containers shall be fenced or otherwise screened from view from public streets.
4. Single-Family and Two-Family Residential Premises.
- a) No garbage or rubbish may be stored in the front yard and shall not be visible to the public.
 - b) No open storage of garbage or rubbish shall be permitted, except in tightly sealed containers that do not allow the entrance of wild animals, domesticated animals, rodents, and birds. Containers shall be made of metal, heavy-duty plastic, or similar materials as may be approved by the Village Board of Trustees.
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Section 17: Junk, Junk Vehicles, Junk Motor Homes, and Junkyards

1. **Prohibition of Open Storage.** The open storage of junk, junk vehicles, and junk motor homes is prohibited within the Village of Canaseraga, consistent with Section 11 of this local law. Such items may be stored only in fully enclosed, legal structures, except as provided in this section.
2. **Exceptions — Vehicles and Motor Homes.**
 - a) **Outdoor Storage of Temporarily Unlicensed or Unregistered Vehicles.** A vehicle or motor home that is temporarily unlicensed or unregistered but is otherwise operable and in good repair may be stored outdoors for up to six (6) months by the owner or occupant, provided all of the following conditions are met:
 - i. The vehicle is not stored in the front yard.
 - ii. The vehicle is for the personal use of the occupant, owner, or an immediate family member residing at the premises.
 - iii. The vehicle is mechanically operable and is not in structural disrepair.
 - iv. A valid storage permit has been issued by the Village pursuant to subsection (5) of this section and is clearly displayed on the vehicle or property.
 - b) **Military Exceptions.** The storage permit requirement under subsection (5) may be waived if:
 - i. The property owner or vehicle owner is an active-duty military member currently deployed; or
 - ii. The vehicle owner is an immediate family member of an active-duty military member who is deployed and resides at the premises.
 - c) **Licensed Automobile Dealers.** A licensed New York State automobile dealer conducting business in accordance with Village regulations may store unlicensed vehicles for sale on the property where the business is conducted. All vehicles must be maintained in condition for use on public highways.
 - d) **Licensed Vehicle Repair Shops.** A licensed New York State vehicle repair shop conducting business in accordance with Village regulations may store disassembled or inoperable vehicles awaiting repair, subject to the following conditions:
 - i. Repairs must be completed and vehicles removed from the premises within 90 days of receipt.
 - ii. All junk vehicles, parts, or disassembled vehicles must not be visible to the public.

- e) Village Impound Lot. The Village of Canaseraga's impound lot is exempt from these regulations.
3. Mobile Home Age and Condition Standards.
- a) New Placements. No mobile home that is more than ten (10) years old from the current calendar year shall be placed, installed, or established on any property within the Village of Canaseraga unless all of the following conditions are met:
 - i. The mobile home is in compliance with all applicable New York State Building Code standards for habitable structures;
 - ii. The mobile home has passed a pre-placement inspection by the Code Enforcement Officer confirming it is in sound structural and mechanical condition; and
 - iii. The mobile home is free from structural defects, roof damage, deteriorated or missing exterior siding, inoperable mechanical systems, and any other conditions constituting a blighted property as defined in Section 5 of this local law.
 - b) Inspection Required. Any person seeking to place a mobile home on a property within the Village shall submit a written request for a pre-placement inspection to the Code Enforcement Officer prior to placement. The Code Enforcement Officer shall conduct the inspection and issue a written determination of compliance or non-compliance within ten (10) business days of the inspection. No mobile home subject to this section may be placed on a property until written approval has been issued by the Code Enforcement Officer.
 - c) Grandfathering — Existing Mobile Homes. Any mobile home lawfully located on a property within the Village of Canaseraga as of the effective date of this local law shall be exempt from the age restriction set forth in subsection (a) and may remain on the property, provided that:
 - i. The mobile home continues to meet all applicable habitability and condition standards under this local law and the New York State Building Code;
 - ii. The mobile home is not voluntarily removed and replaced with another mobile home that does not meet the standards of subsection (a); and
 - iii. If the mobile home becomes uninhabitable, is destroyed, or is voluntarily removed, any replacement mobile home must comply with subsection (a) in full.
 - d) Continued Maintenance. All mobile homes, whether grandfathered or newly placed, shall be maintained in compliance with all applicable provisions of this local law at all times. A grandfathered mobile home that is found to constitute a blighted property under Section 5 of this local law shall be subject to all applicable enforcement provisions of Section 21.

- e) Non-Applicability to Licensed Mobile Home Parks. This section does not apply to mobile homes located within a mobile home park licensed and operating in compliance with applicable state and local law, which shall be governed by the terms of their license and applicable state regulations.
4. Junk, junk vehicles, and junk motor homes may only be repaired inside a fully enclosed structure. No junk vehicles, junk motor homes, or parts thereof shall be visible to the public.
5. Unlicensed Vehicle Storage Permits.
- a) The open storage of unlicensed vehicles for longer than six (6) months is prohibited unless the occupant of the premises obtains an Unlicensed Vehicle Storage Permit from the Village of Canaseraga. The occupant shall apply in writing to the Code Enforcement Officer for a permit to store such a vehicle. The Code Enforcement Officer may grant such a permit, for a period not to exceed one (1) year, if the applicant demonstrates that the owner of the unlicensed vehicle is a resident of the property or an immediate family member of a resident of the property and that at least one of the following situations applies:
 - i. The vehicle owner is a full-time student attending a school, college, or university;
 - ii. The vehicle owner is a member of the United States Armed Forces; or
 - iii. The vehicle owner is suffering from an injury or illness requiring hospitalization or confinement.
 - b) A valid storage permit shall require that the vehicle not be stored in the front yard. Upon expiration of the permit, the vehicle shall be licensed or removed, or the owner may apply for an extension of the permit.
 - c) The Village Board of Trustees shall establish a fee schedule for storage permits by resolution pursuant to Section 23 of this local law.
6. Restoration Permits.
- a) Application. A person may apply in writing to the Code Enforcement Officer for a Restoration Permit allowing the open storage and repair of one junk or unlicensed vehicle for the purpose of restoring it to a condition in which it may be legally operated on public highways.
 - b) Conditions for Issuance. The Restoration Permit may be issued only if all of the following conditions are met:

- i. The vehicle is for the personal use of the property occupant or owner. Vehicles restored for sale, lease, or other profit-generating purposes are not eligible.
 - ii. The vehicle is stored in an enclosed structure and is not visible to the public during the restoration process. Vehicles may not be stored in the front yard.
 - iii. Restoration activities are limited to the hours of 8:00 a.m. to 7:00 p.m. Noise and other disturbances must be reasonable and customary for vehicle repair and shall not exceed 75 decibels at the property line. Activities that create offensive odors, excessive dust, or other public nuisances are prohibited.
- c) Permit Duration and Extension.
 - i. The Restoration Permit is valid for six (6) months from the date of issuance.
 - ii. The permit may be extended for up to three (3) additional months if the applicant demonstrates sustained and continuous progress in restoring or repairing the vehicle. Progress may be demonstrated by photographic evidence, repair logs, or inspection by the Code Enforcement Officer.
- d) Enforcement. The Code Enforcement Officer or other authorized Village officials may inspect the property during the permitted restoration period to ensure compliance with all conditions. Violations may result in revocation of the Restoration Permit, notices of violation, or penalties.

7. Junkyard Licensing.

- a) License Required. No person, firm, or corporation shall operate, maintain, or establish a junkyard within the Village of Canaseraga without first obtaining a junkyard license from the Village Board of Trustees.
- b) Application. Applications for a junkyard license shall be submitted in writing to the Village Clerk and shall include: the name and address of the applicant; the location and description of the property; a description of the materials to be stored; and such other information as the Village Board may require.
- c) Criteria for Approval. The Village Board may approve a junkyard license only if the following conditions are met:
 - i. The junkyard is screened from public view by fencing, walls, or dense vegetation of sufficient height and opacity;
 - ii. The property is maintained in a manner that does not create a fire hazard, attract vermin, or constitute a public nuisance; and
 - iii. The operation complies with all applicable state and local laws.

- d) License Term and Renewal. A junkyard license shall be valid for one (1) year and may be renewed annually upon application and payment of the applicable fee.
 - e) Revocation. The Village Board may revoke a junkyard license for violation of any condition of the license or any provision of this local law, after written notice and an opportunity to be heard.
 - f) Fees. The Village Board of Trustees shall establish a fee schedule for junkyard licenses by resolution pursuant to Section 23 of this local law.
8. Screening as Interim Compliance. Where a junk vehicle cannot be immediately removed due to documented hardship, the Code Enforcement Officer may, at their discretion, allow a screening enclosure as an interim compliance measure for a period not to exceed sixty (60) days, after which the vehicle must be removed or brought into full compliance. The screening must block the vehicle from public view on all sides and comply with the fencing standards of Section 7(2) of this local law.
9. Pre-existing Junk Vehicles and Unlicensed Vehicles. All junk and unlicensed vehicles existing at the effective date of this local law shall be brought into compliance with this section within thirty (30) days of notification by the Code Enforcement Officer.

Section 18: Occupancy and Storage of Campers, Recreational Vehicles, and Tents

1. Prohibited Use. For purposes of this section, "temporary structure" means any camper, recreational vehicle, travel trailer, motorhome, or tent as described herein. No temporary structure shall be used for residential occupancy within the Village, except as expressly allowed in subsections (2) and (3). No connections to water, sewer, or other utility services shall be made unless required for construction purposes under a valid building permit.
2. Limited Temporary Occupancy on Residential Property. Temporary occupancy is permitted on property containing a lawfully established dwelling unit if:
 - a) Occupancy is by members of the property owner's family or invited guests;
 - b) Occupancy does not exceed seven (7) days per calendar month provided that no single continuous period of occupancy exceeds seven (7) consecutive days; and
 - c) No utility hookups are made.
3. Construction Exception on Vacant Lots. Temporary occupancy is allowed on vacant lots with a valid building permit for the construction of a permanent residence if:
 - a) Occupants are the property owner or construction workers directly involved in the project;

- b) Construction is actively underway and progressing in a timely manner;
 - c) No utility hookups are made except those necessary for construction; and
 - d) Occupancy is limited to the duration of active construction.
4. Requirement of a Dwelling Unit. Except as allowed under subsection (3), temporary structure may not be occupied on property without at least one lawfully established dwelling unit.
5. Location and Placement Restrictions.
- a) No temporary structure may be placed in the front yard or street setback.
 - b) All temporary structures must remain entirely on the property of the owner and may not encroach on sidewalks, streets, alleys, or neighboring property.
6. Size and Aesthetics Limitations.
- a) Temporary structures must not exceed 50 feet in length or 14 feet in height unless otherwise approved for construction use.
 - b) Temporary structures must not interfere with the safety or aesthetics of surrounding properties.
7. Number of Units per. A maximum of two temporary structures with 2 addition tents shall be permitted on any property at any time, subject to the following conditions except as stated in Section 18(3):
- a) One temporary structure shall be owned by the occupant of the property and shall always remain unoccupied unless such occupancy complies with subsection (2) or (3) of this section;
 - b) One additional temporary structure may be present on the property solely for the purpose of guest occupancy in accordance with subsection (2) of this section;
 - c) At no time shall more than one temporary structure be occupied on any property except where stated in Section 18(9) & Section 18(3);
 - d) Both temporary structures shall be maintained in good repair and in compliance with subsection (8) of this section.
 - e) Licensed dealerships of campers or recreational vehicles are exempt from the limitations of this subsection and may have multiple units on site, provided they are maintained in good working condition and used solely for sales or display purposes, not residential occupancy.

8. Storage and Appearance.

- a) Temporary structures must be kept clean and free from debris.
- b) Accessories such as awnings, outdoor furniture, and generators must be removed at the end of the permitted occupancy period.
- c) Long-term storage of inoperable or abandoned campers, RVs, or tents is prohibited.

9. Seasonal or Special Event Restrictions.

- a) Temporary occupancy for recreational or camping purposes is prohibited unless explicitly allowed under subsections (2) or (3).
- b) Any exceptions for seasonal events, fairs, or festivals must be approved by the Village Board in advance.

10. Violations and Penalties.

- a) Upon issuance of a Notice of Violation under this section, the responsible party shall have forty-eight (48) hours from the date of notice to correct the violation.
- b) Repeat Violations. If a property has been found in violation of any provision of this section two (2) or more times within any twenty-four (24) month period, no cure period shall be afforded for any subsequent violation at that property. Fines shall be imposed immediately upon issuance of the Notice of Violation.
- c) Each day of occupancy beyond the allowed period, or each day a violation of any restriction in this section continues, constitutes a separate offense.
- d) Civil penalties of \$100.00 per day per unit may be imposed through the Village Justice Court.
- e) The Village may remove or secure any temporary structure in violation and recover all associated costs in accordance with Section 21(9) of this local law.

11. Grandfathered Units — Existing Recreational Vehicles or Campers on Vacant Lots. Any camper or recreational vehicle lawfully located on a property without a primary dwelling unit as of the effective date of this local law may remain on the property until it becomes uninhabitable or is voluntarily removed or relocated.

- a) No replacement, substitution, or additional camper or recreational vehicle shall be permitted on the property once the grandfathered unit is removed, relocated, or becomes uninhabitable.
- b) This provision is intended solely to recognize existing, long-standing occupancy and does not authorize new temporary or permanent use of campers, RVs, or tents on properties without a dwelling unit.

Section 19: Vehicle Repair Shops

1. **Licensing and Compliance.** Any vehicle repair shop operating within the Village shall maintain all required licenses issued by the State of New York and shall operate in compliance with all applicable federal, state, county, and Village laws, rules, and regulations, as well as any approvals granted by the Village Board of Trustees.
2. **Storage of Vehicles.** Any vehicle located on the premises of a vehicle repair shop for a period exceeding forty-eight (48) hours shall be stored out of public view. Such vehicles shall be kept either within an enclosed building or behind a fence or other approved screening sufficient to prevent visibility from public streets, sidewalks, or adjacent properties.
3. **Storage of Vehicle Parts.** Vehicle parts, components, or sections thereof shall not be visible from any public street, sidewalk, or adjacent property. All such items shall be stored in a safe and orderly manner so as not to create a hazard to the public or the environment.
4. **Building Requirements.** Any building used for vehicle repair shall be constructed with an impermeable concrete floor or equivalent surface designed to prevent the absorption of automotive fluids into the ground.
5. **Drainage and Discharge.** No oils, fuels, solvents, coolants, or other automotive fluids shall be discharged, drained, or otherwise allowed to enter the soil, surface waters, groundwater, stormwater systems, or sanitary sewer system, except as permitted by applicable law.
6. **Spill Response and Disposal.** Any spills of automotive fluids or hazardous materials shall be immediately contained, absorbed, and properly disposed of in accordance with all applicable federal, state, and local laws and regulations.
7. **Floor Cleaning and Maintenance.** Floors of vehicle repair facilities shall be maintained and cleaned only by methods that prevent contamination of soil, groundwater, or surface water.
8. **Environmental Contamination Reporting.** In the event of any spill, release, or discovery of environmental contamination on or from the premises of a vehicle repair shop, the business owner shall:

- a) Immediately notify the New York State Department of Environmental Conservation (DEC) Spill Hotline as required by NYS Environmental Conservation Law §17-1743; and
 - b) Notify the Village Code Enforcement Officer within twenty-four (24) hours of discovery.
 9. Environmental Remediation. In the event of soil or environmental contamination resulting from the operation of a vehicle repair shop, the business owner shall be responsible for remediation by a contractor properly licensed or authorized to perform environmental remediation within the State of New York. All costs shall be borne by the business owner.
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Section 20: Duties of Owners and Occupants

1. The owner, tenant, occupant, operator, or any other person in control of premises subject to the provisions of this local law shall be jointly and severally responsible for compliance with all provisions of this local law. The obligations imposed by this local law shall not be affected by any lease, contract, or other private agreement allocating responsibility for compliance among the parties. Nothing herein shall be construed to prevent the Village from enforcing the provisions of this local law against any or all responsible parties, nor shall any private agreement between parties limit the authority of the Village to enforce this local law.
 - a) Unpaid fines shall be placed as a tax levy against the property.
 2. For the purposes of enforcement of this local law, any person who is in actual possession of, or who has charge, care, or control of any property within the Village, including but not limited to an executor, administrator, trustee, guardian, operator, manager, or agent, shall be deemed responsible for compliance with the provisions of this local law to the same extent as the owner of record. Service of any notice, order, or determination issued by the Code Enforcement Officer upon any such person shall be deemed sufficient notice for the purposes of enforcement under this local law. Nothing in this section shall be construed to relieve the owner of record from responsibility for compliance with this local law.
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Section 21: Administration and Enforcement

1. Enforcement Official. The Code Enforcement Officer is hereby designated as the Village enforcement official, charged with the administration and enforcement of this local law.

The Village Board may designate other officials to assist in the enforcement of the provisions of this law. The Fire Chief is hereby designated as an additional enforcement official solely for the provisions of Section 12 of this local law, as set forth in Section 12(6), and shall have no authority to issue violations or appearance tickets under any other section of this local law.

2. Complaints.

- a) Any person may file a complaint with the enforcement official alleging that a violation of this law has taken place or is taking place. Complaints may be submitted in writing, by telephone, or by any other means made available by the Village.
- b) Where a complaint is received by telephone or other non-written means, the enforcement official shall reduce the complaint to writing, recording the nature of the complaint, the property location, the date and time of the complaint, and, if provided, the name and contact information of the complainant.
- c) Anonymous complaints shall be accepted and recorded, but the enforcement official shall exercise reasonable judgment in prioritizing and investigating such complaints.
- d) The enforcement official shall record, investigate, and document any such complaint.
- e) The enforcement official may also investigate any alleged violation that the official has reason to believe has occurred or is occurring.

3. Right of Entry; Inspections; Enforcement Protection.

- a) Right of Entry — Exterior Inspections. The Code Enforcement Officer or any other officer, employee, or agent duly authorized by the Village may conduct inspections of the exterior of any property within the Village from public streets, sidewalks, or rights-of-way at any time for the purpose of enforcing the provisions of this local law.
- b) Right of Entry — Interior or Curtilage Inspections. Entry onto private property, including into the curtilage or interior of any structure, shall be conducted only: (i) with the consent of the owner, occupant, or other person with authority to grant entry; or (ii) pursuant to an administrative inspection warrant or other appropriate order issued by a court of competent jurisdiction. This provision applies to all properties and is intended to be consistent with the requirements of the Fourth Amendment to the United States Constitution and Article I, §12 of the New York State Constitution.

- c) Refusal of Entry. If entry to any property is refused or otherwise not permitted, the Code Enforcement Officer may seek an administrative inspection warrant or other appropriate order from a court of competent jurisdiction pursuant to NYS Criminal Procedure Law §690.
- d) Good-Faith Performance of Duties. Any officer, employee, or authorized agent of the Village who enters upon property or performs duties pursuant to this local law in good faith and in the course of their official responsibilities shall not thereby be rendered personally liable for civil or criminal prosecution, to the extent permitted by law.
- e) Preservation of Immunities. Nothing in this section shall be construed to create or expand liability on the part of the Village or its officers, employees, or agents, nor to limit any defenses, immunities, or protections otherwise available under federal, state, or local law.

4. Inspection.

- a) Whenever a complaint has been filed, or whenever it shall appear that the provisions of this local law are being violated, the enforcement official, except in cases where the alleged violation is in plain view and/or where no entry onto private property is necessary, shall obtain consent from an owner, lessee, agent, tenant, or other person with authority before making an inspection of the property, or shall obtain a warrant as provided in subsection 3(c) above.
- b) Following the inspection of the property, the enforcement official shall file a written report detailing the findings of the inspection with the Village Clerk and the Village Board of Trustees within ten (10) calendar days of the date of such inspection.

5. Notice of Violation.

- a) Issuance of Notice. If the enforcement official determines that a violation of this local law exists on any property, the official shall prepare a written Notice of Violation containing the following information:
 - i. The name of the owner, occupant, or other responsible person to whom the notice is addressed.
 - ii. The location of the property involved in the violation.
 - iii. A description of the condition of the property at the time of inspection, including a statement explaining how the property is in violation of this local law.
 - iv. A demand that the violation be corrected to comply with this local law within fifteen (15) calendar days of the date of the notice, or within the

period specifically required by a particular provision of this local law, whichever period applies.

- v. A statement that failure to comply with the notice may result in enforcement action, including prosecution and/or imposition of fines through the Village Justice Court.
 - b) Service of Notice. A Notice of Violation may be served either:
 - i. Personally upon the owner, occupant, or other responsible person; or
 - ii. By posting the notice in a conspicuous location on the property, with a copy mailed to the owner of record as listed with the Village Clerk.
 - c) Exceptions — Garbage and Rubbish. Notwithstanding subsection (a)(iv), violations involving garbage or rubbish as defined in this local law must be corrected within twenty-four (24) hours of notification. Responsibility for correcting such violations rests with the owner, tenant, or occupant. Notices of Violation under this section may be issued by any person duly appointed by the Village Board of Trustees or the Mayor to expedite corrective action. Continued violations of this section may result in increased fines and the elimination of the twenty-four (24) hour grace period.
 - d) Extension. Upon written request demonstrating reasonable cause, the enforcement official may grant a one-time extension of up to thirty (30) calendar days for compliance with the Notice of Violation.
6. Enforcement. If, after the expiration of fifteen (15) days, or the number of days explicitly specified by a section in this local law, from the date of mailing of the Notice of Violation, or after the completion of any extension period, the owner or occupant fails to comply with the requirements of this law, the Code Enforcement Officer or Village Board may institute enforcement procedures as follows:
- a) Whenever there is reasonable cause to believe that a violation exists, the Code Enforcement Officer, or any officer, employee, or agent of the Village duly authorized by the Village Board of Trustees or the Mayor, may enter and inspect the property in question consistent with Section 21(3) of this local law and prepare a written report describing the conditions observed and any apparent violations. This report shall be submitted to the Village Board of Trustees within ten (10) calendar days of the inspection.
 - b) The Code Enforcement Officer is hereby authorized, pursuant to Criminal Procedure Law §150.20(1)(b), to issue an appearance ticket to any person whom the Code Enforcement Officer has reason to believe has violated any part of this law, and shall cause such person to appear before the Village Justice Court or other court of competent jurisdiction.

- c) Accumulation of Garbage or Rubbish.
 - i. If a violation involving the accumulation of garbage or rubbish is not corrected within twenty-four (24) hours of the issuance of a Notice of Violation, the Village may seek weekly fines through the Village Justice Court.
 - ii. The initial fine shall be fifty dollars (\$50) per week. For each successive week that the violation remains uncorrected, the weekly fine shall double, but in no case shall the weekly fine exceed five hundred dollars (\$500) per week. Once the maximum weekly fine of \$500 is reached, that amount shall continue to accrue each week until the violation is corrected.
 - iii. The Village of Canaseraga may utilize the Department of Public Works (DPW) or a private contractor to remove the garbage or rubbish at the owner's expense. The cost of removal shall be billed directly to the owner. If payment is not made within thirty (30) days, the amount may be levied against the owner's property taxes.
 - iv. If a property is found in violation of this section three (3) or more times within a twelve (12) month period, no grace period shall be offered for subsequent violations, and the weekly fine shall continue to escalate in accordance with subsection (ii) above.
- d) If a property owner, occupant, or responsible party is not present at the time a Code Enforcement Officer attempts to serve a Notice of Violation, the officer may affix a Violation Notification door hanger in a conspicuous location on the property. Posting the door hanger in accordance with this section shall constitute official notice of the violation. For purposes of enforcement, the date of posting shall be deemed the first day of the violation. A copy of the Violation Notification shall also be mailed to the owner of record as listed with the Village Clerk to ensure proper notice.
- e) The Village Board reserves the right to seek a court order to have the violation corrected by the Village. The expense thereof shall be charged to the property by including such expenses in the next annual tax levy against the property.
- f) The Village Board of Trustees reserves the right to waive any fees or penalties if it is the first offense and the violation was corrected quickly, except that no waiver shall apply to open burning violations under Section 12 of this local law.

7. Administrative Appeal.

- a) Right of Appeal. Any person who receives a Notice of Violation or is assessed a fine under this local law shall have the right to appeal such notice or fine to the

Village Board of Trustees within fifteen (15) calendar days of the date of service of the Notice of Violation or assessment of the fine.

- b) Procedure. An appeal shall be submitted in writing to the Village Clerk and shall state the grounds for the appeal with specificity. The Village Board shall schedule a hearing on the appeal at its next regular meeting, or at a special meeting if necessary, and shall provide written notice of the hearing date to the appellant at least five (5) days in advance.
- c) Hearing. At the hearing, the appellant shall have the opportunity to present evidence and argument. The Code Enforcement Officer shall present the basis for the Notice of Violation or fine. The Village Board shall issue a written determination within ten (10) days of the hearing.
- d) Effect of Appeal. The filing of a timely appeal shall stay enforcement of the Notice of Violation or fine pending the Board's determination, unless the Code Enforcement Officer determines that an emergency condition exists requiring immediate action under Section 21(11) of this local law.
- e) Judicial Review. Nothing in this section shall limit the right of any person to seek judicial review of the Village Board's determination in a court of competent jurisdiction.

8. Delayed Enforcement in Extreme Circumstances.

- a) Authority. The Village Board of Trustees is the sole authority authorized to delay enforcement of any provision of this local law. No other officer, employee, or agent of the Village may grant delayed enforcement.
- b) Definition of Extreme Circumstances. For purposes of this section, "extreme circumstances" may include, but are not limited to:
 - i. Natural disasters (e.g., floods, storms, fire) that temporarily prevent compliance.
 - ii. Public emergencies declared by federal, state, or local authorities.
 - iii. Situations where immediate enforcement would create undue hardship that is beyond the reasonable control of the property owner or responsible party.
- c) Procedure for Delayed Enforcement.
 - i. A request for delayed enforcement must be submitted in writing to the Village Board of Trustees by the owner, occupant, or responsible party, stating the basis for the request and describing the extreme circumstances.
 - ii. The Village Board shall review the request at a regular or special meeting and may grant delayed enforcement at its sole discretion.

- iii. The Board shall set a specific expiration date for the delayed enforcement period. All conditions and deadlines shall be clearly documented in a written resolution or official record.
- d) Effect of Delayed Enforcement.
 - i. Any delayed enforcement applies only to the property and provision(s) specified by the Village Board.
 - ii. Delayed enforcement does not excuse or limit compliance for any other person, property, or section of the law.
 - iii. Delayed enforcement is not indefinite; the property owner or responsible party must comply by the date set by the Village Board.
 - iv. The Village Clerk shall maintain a record of all requests, determinations, and expiration dates of delayed enforcement in the meeting minutes to ensure transparency and consistency.

9. Abatement by Village and Recovery of Costs.

- a) When the Village, due to the failure, neglect, or refusal of the owner or occupant to properly comply with Section 7(8) of this local law (grass and vegetation), has contracted for the trimming of grass or removal of plant growth, such contract maintenance will continue until the owner notifies the Village Clerk, in writing, that the owner has made arrangements to comply with Section 7(8). This provision applies equally to all other exterior maintenance and prohibited accumulation violations subject to Village abatement under this local law.
- b) In addition to any other remedies or penalties available under this local law, if a violation exists, the Village Board of Trustees may cause the conditions constituting the violation to be remedied or corrected at the expense of the property owner.
- c) The cost of any such remediation, including disbursements and expenses incurred by the Village or its contractors, an administrative fee of ten percent (10%) of the total cost, and the actual cost of certified mail plus a ten percent (10%) administrative fee for all notices of violation and citations mailed in connection with the enforcement action, shall constitute a charge and lien upon the premises. Such costs may be added to the next annual Village tax bill and collected in accordance with applicable law, including interest as permitted by law.
- d) Notice and Opportunity to Cure: Before the Village undertakes remedial action, the property owner shall be provided notice of the violation and a reasonable opportunity to cure, unless the Village Board determines that immediate action is necessary to protect public health, safety, or the environment.

- e) Judicial Review: Nothing in this section limits the right of the property owner to seek judicial review of the Village's determination or of the assessment of costs in a court of competent jurisdiction.

10. Penalties.

- a) Any violation of this local law that exists after fifteen (15) days, except where a different period is defined by this local law or any individual section or subsection, from being notified shall be subject to a fine of not less than \$50.00 and not more than \$500.00 per week, depending on the severity, the length of time the offense has not been corrected, and the total number of offenses on the property. Each week a violation continues shall constitute a separate offense. All fines shall be recoverable through the Village Justice Court or other court of competent jurisdiction.
- b) All fines for any violation of any Village local law shall be paid to the Village Clerk from the effective date of this local law.
- c) The Village Board may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this law.

11. Emergency Orders.

- a) Authority to Issue Emergency Orders. If the Code Enforcement Officer or other authorized Enforcement Official determines that an emergency exists which requires immediate action to protect the public health, safety, or welfare, the officer may issue an Emergency Order without prior notice or hearing.
- b) Definition of Emergency. For purposes of this section, an "emergency" may include, but is not limited to:
 - i. Conditions posing an imminent threat to life or health, such as hazardous materials, fire hazards, or structural failure.
 - ii. Situations creating immediate environmental hazards or serious threats to the public, including uncontrolled flooding or sewage discharge.
- c) Contents and Effect of Emergency Orders.
 - i. The Emergency Order shall recite the existence of the emergency, specify the conditions to be remedied, and describe the actions required.
 - ii. The Emergency Order shall take effect immediately upon issuance, and any person to whom the order is directed must comply immediately.
 - iii. All actions required must be reasonable, necessary, and proportionate to the emergency.
- d) Post-Issuance Hearing.

- i. Any person subject to an Emergency Order may request a hearing as soon as possible by petitioning either the Code Enforcement Officer or the Village Justice Court.
 - ii. At the hearing, the officer or court shall determine whether to continue, modify, or withdraw the Emergency Order.
 - e) Documentation. The Code Enforcement Officer shall document the emergency, including the nature of the threat, actions taken, and any subsequent hearing or modification, to ensure transparency and legal defensibility.
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Section 22: Delivery of Notices and Citations

1. Personal Service. The Code Enforcement Officer or other authorized Village official shall deliver notices of violations or citations directly to the property owner, occupant, or another responsible adult at the premises whenever possible.
 2. Posting on Property. If the property owner or responsible party cannot be personally reached, the notice may be securely posted in a conspicuous location on the premises, such as the main entrance, front door, or another location readily visible from the street.
 3. Mailing. All notices of violations or citations shall also be sent to the property owner by certified mail, return receipt requested, or by regular first-class mail. Mailing constitutes legal delivery for purposes of compliance and enforcement. The cost of mailing shall be borne by the Village as part of its enforcement costs and may be recovered through the cost recovery provisions of Section 21(9) of this local law.
 4. Prohibition on Mailbox Placement. Under no circumstances shall a notice or citation be placed inside a USPS mailbox, as this is federal property and only authorized postal personnel may deposit mail therein.
 5. Documentation. The Code Enforcement Officer or authorized Village official shall record the date, time, and method of delivery for each notice or citation. This documentation shall serve as evidence of proper service if enforcement proceedings are necessary.
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Section 23: Fees

The Village Board of Trustees shall establish by resolution a schedule of reasonable fees to cover the cost of issuing permits, processing applications, and delivering notices required by this local law. The fee schedule shall include, at minimum, fees for: unlicensed vehicle storage permits;

restoration permits; junkyard licenses; and re-inspection fees. The Village Board shall adopt an initial fee schedule within sixty (60) days of the effective date of this local law.

Section 24: Relationship to New York State Uniform Fire Prevention and Building Code

Nothing in this local law shall be construed to limit or supersede the authority of the Code Enforcement Officer to enforce the New York State Uniform Fire Prevention and Building Code (19 NYCRR) or the New York State Property Maintenance Code (19 NYCRR Part 1203). In the event of a conflict between this local law and any provision of the Uniform Code, the Property Maintenance Code, or any other applicable state code or regulation, the provision or requirement which is more restrictive, or which establishes the higher standard, shall prevail, except where a specific provision of state law expressly prohibits a municipality from imposing a stricter standard, in which case the state standard shall govern only to that extent. This local law is intended to supplement the Uniform Code and to establish additional local standards where permitted by law.

Section 25: Severability

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provision shall be deemed or declared invalid by a court of competent jurisdiction, all other provisions hereof shall remain valid and enforceable.

Section 26: Repealer

All prior ordinances, resolutions, regulations, local laws, and rules, or parts thereof, of the Village of Canaseraga relating to property maintenance, exterior conditions of buildings and premises, accumulation of garbage, rubbish, or junk, or any other subject matter addressed by this local law, are hereby repealed and declared null and void upon the taking effect of this local law, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any such prior law before the effective date of this local law.

Section 27: Effective Date

This local law shall take effect immediately upon filing with the Office of the New York State Secretary of State pursuant to Municipal Home Rule Law §27.

Local Law No. 1 – 2026 | Village of Canaseraga, New York | Property Maintenance Law