

PROPERTY MAINTENANCE

Chapter 79

PROPERTY MAINTENANCE

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[HISTORY: Adopted by the Board of Trustees of the Village of Hancock 1-11-1999 by L.L. No. 1-1999. Amendments noted where applicable.]

GENERAL REFERENCES

Unsafe buildings — See Ch. 41.

ARTICLE I

Enactment; Authorization; Title; Purpose

§ 79-1. Enactment and authorization.

The Village Board of the Village of Hancock does hereby ordain and enact the Village of Hancock Property Maintenance Law pursuant to the authority and provisions of § 10 of the Municipal Home Rule Law.

§ 79-2. Purpose.

The purpose of this chapter is to protect the public health, safety and welfare and to preserve and protect the appearance of the community by regulating the maintenance of property which may otherwise become visually unattractive and detrimental to the public health, safety and welfare.

ARTICLE II  
Property Maintenance Requirements

§ 79-3. General requirements.

- A. Residential premises shall be maintained in a clean, safe and sanitary condition.
- B. Areas devoted to the common use of occupants and users shall be kept broom-clean at all times.

§ 79-4. Open areas.

- A. Surface and subsurface water shall be appropriately drained to protect buildings and structures and to prevent ponding.
- B. Fences, walls and other minor constructions shall be maintained in safe, good and substantial condition.
- C. Steps, walks, driveways, parking spaces and similar paved areas shall be maintained to afford safe and convenient passage.
- D. Yards, courts and vacant lots shall be kept clean and free of hazards.
- E. Ground cover shall be properly established to prevent undue spoil erosion due to elements.
- F. Heavy undergrowth and accumulations of plant growth which are noxious or detrimental to health or safety shall be eliminated.
- G. Open fires shall not be permitted, unless authorized and approved pursuant to local law and in conformity with state air pollution control regulations.

ARTICLE III  
Grass, Weeds and Other Noxious Growth

§ 79-5. Maintenance of grass lawns.

Grass shall not be allowed to grow in excess of five inches. This provision shall not apply to land under cultivation, naturally wooded areas or undeveloped areas which are at least 200 feet distant from any occupied building or residence.

§ 79-6. Cutting of grass and other vegetation along streets.

It shall be the duty of the lessee, owner or person having charge of each parcel in this village fronting upon any street or highway to cut or cause to be cut and removed all grass, brush and weeds growing between the curb or edge of roadway and the sidewalk or pathway at least once a month from May to October, inclusive.

§ 79-7. Weeds and other rank or noxious vegetation.

It shall be the duty of the owner, lessee or other person in possession or having charge of each parcel of land in this village to keep said parcel free of poison ivy, poison sumac, ragweed, goldenrod and other harmful weeds and rank or noxious vegetation.

§ 79-8. Enforcement procedures.

- A. Upon failure of the owner, lessee or other person in charge or responsible to perform the work as specified in §§ 79-5, 79-6 and 79-7, the village shall give three days' written notice to the owner or occupant of the premises to correct the violation.
- B. If said violation, after three days, still remains uncorrected, this failure shall be transmitted by the Superintendent of Streets and Water to the Village Clerk in

writing. The Superintendent shall then cause the work correcting the violation to be performed. The Board of Trustees shall direct that the expense thereof, including an additional charge of 50% percent of said expense as compensation to the village for supervising, administering and handling such work, be added to the next assessment roll of general village taxes and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as the general village tax and as a part thereof.

#### ARTICLE IV Storage of Material

##### § 79-9. Purpose.

A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants and the economy of the Village of Hancock and the general welfare of its citizens. The unrestrained accumulation of old, abandoned, unusable and inoperable automobiles, rubbish, trash and other discarded material and the outdoor storage of lawn mowers and similar machinery and equipment is a hazard to such health, safety and welfare of the citizens of the Village of Hancock, necessitating the regulation, restraint and elimination thereof.

##### § 79-10. Definitions.

As used in this article, the following terms shall have the meanings indicated, unless the context or subject matter otherwise requires:

**ABANDONED MOTOR VEHICLE** — A motor vehicle which is mechanically inoperable, due to age, deterioration or damage and has no economic value except for salvage or junk.

**DISCARDED MATERIAL** — Any item, thing or object which is no longer suitable for use as it was originally manufactured or designed and has no practical economic value except for salvage or junk.

**RUBBISH or TRASH** — All cardboard, plastic, used metal or glass food containers, waste paper, rags, wood, plastic, rubber, leather or metal objects that are broken or unusable for any practical economic purposes and similar waste materials which may accumulate from any household, farm, commercial or industrial operation.

##### § 79-11. Outdoor storage of wood.

- A. Wood intended to be used for fuel shall not be stored in the front yard or front half of side yards but may be stored in the rear yard if neatly stacked at least one foot from any adjacent property line.
- B. Where it is impractical to store logs immediately in the rear yard, they may be stored for a period not to exceed six weeks in the front yard for cutting into firewood, provided that such logs shall be placed not closer than 15 feet from the curbline and in such a manner as not to obstruct the view or sight distance and create a traffic hazard.

##### § 79-12. Outdoor storage of certain material prohibited; enforcement procedures.

- A. Written notice required. The Building Inspector shall give written notice, personally or by certified mail, to the owner or other person having control of any property in the village on which there is openly stored one or more abandoned motor vehicles, lawnmower and/or similar machinery or equipment, rubbish or trash in such amount as to cause an unsightly, unhealthy or hazardous condition. Such notice shall provide that the owner or other person in possession or control shall

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remove the same within 72 hours from the receipt of such notice. Failure to comply with the notice within the time specified shall constitute a violation as hereinafter provided. This procedure shall apply also to § 79-3 of this chapter.

- B. Exception: the placement of refuse or garbage for collection and subsequent disposal.

ARTICLE V  
Penalties

**§ 79-13. Penalties for offenses.**

A violation of this chapter shall be punishable by a fine of not more than \$250.