

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Morrisville

Local Law No. 10 of the year 2024

A Local Law Amending Chapter 58 of the Village of Morrisville Code regarding brush, grass and weeds within the Village of Morrisville

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Morrisville as follows:

“Section 1.

So that Chapter 58, titled “Brush, Grass and Weeds,” of the Village of Morrisville Code, shall be amended, in its entirety, as follows to:

§ 58-1 Prohibited conditions.

No owner, lessee, occupant or other persons having control of any premises within the Village shall permit or maintain on such premises or along the sidewalk, street or alley adjacent to the same any growth of weeds, grass, noxious brush or other noxious vegetation to a greater height than six (6) inches. This includes the area between the street pavement edge and the property line.

§ 58-2 Removal by Village.

In the event there is a violation of the foregoing provisions of § 58-1, the Village Clerk, or his/her delegate, shall give notice to the property owner and occupant/tenant (if not owner occupied and the identity of the occupant/tenant is known to the Village). Notice shall be served by regular United States mail, by certified United States mail, return receipt requested, and by attaching or placing a copy of said notice upon any structure on said lot and if no structure is available upon said lot, by attaching said notice upon a post placed there for that purpose. Service shall be deemed complete upon the completion of the mailing and posting. Such notice shall notify the owner and/or occupants/tenants of said land and lot that if they fail to comply with the provisions of this chapter within three (3) days of the date of mailing and posting of said notice by the Village, the Village Superintendent of Public Works, or such other person(s) to be designated by the Board of Trustees, shall cause such weeds, grass, brush or other vegetation on such lot or land to be cut and removed at the expense of the owner and/or occupant/tenant. Notice shall further inform the owner and/or occupant/tenant of the right to a due process hearing before the Village Board of Trustees. In the event the owner and/or occupant/tenant fails to either correct the violation or request a hearing, the Superintendent of Public Works shall cause such weeds, grass, brush or other vegetation on such lot or land to be cut and removed at the expense of the owner and/or occupant/tenant, in addition to such fines or penalties as may otherwise be imposed, pursuant to the provisions of § 58-4 and shall be invoiced to the owner and/or occupants/tenants.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

§ 58-3 Repeat offenses.

The owner(s), occupant(s) or person(s) having control over any land or property found to be in violation of this chapter and having received notice and an opportunity for a hearing, shall not thereafter be entitled to an additional hearing for subsequent offenses in the same calendar year. Repeat or subsequent offenses occurring within the same calendar year on the same property shall be corrected by the Village, or its agent, without further hearing opportunity to the owner(s), occupant(s) or person(s) having control of the property. After initial notification and subsequent failure to remedy the violation(s) such owner(s), occupant(s) or person(s) having control of the property will be presumed to have been given sufficient due process for the duration of the calendar year.

§ 58-4 Costs of clearing and removing.

A. The following costs are hereby established to be imposed when the Village or its independent contractor clears and removes a noncomplying premises in accordance with § 58-2 herein:

- (1) First occurrence within a three-year period: \$100, plus the actual cost of the work.
- (2) Second occurrence within a three-year period: \$200, plus the actual cost of the work.
- (3) Third or more occurrence within a three-year period: \$300, plus the actual cost of the work.

B. For the purposes of this article, the "actual cost of the work" is defined as follows:

- (1) In the case of an independent contractor, the total agreed-upon contract consideration
- (2) In the case of the Village performing the work, the actual cost of such cutting and removal, as determined by the Superintendent of Public Works.

The invoice for the total cost shall be mailed to the property owner identified in the most recent real property tax assessment roll at the address stated in said tax roll, and if such invoice remains unpaid more than 30 days after the date of same, the invoice amount shall be assessed and levied against the premises on the Village tax roll in accordance with § 5-518 of the Village Law.

Section 2. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the New York State Department of State.”

1. **(Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as **Local Law No. 10 of 2024** of the **Village of Morrisville** was duly passed by the **Board of Trustees of the Village of Morrisville on July 11, 2024**, in accordance with the applicable provisions of law.

2. ~~**(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the **Town of Sullivan** was duly passed by the **Town Board** on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** and was deemed duly adopted on _____, 20__, in accordance with the applicable provisions of law.~~

3. **(Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the **Town of Sullivan** was duly passed by the **Town Board** on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** on _____, 20__.

Such local law was submitted to the people by reason of a (mandatory/permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general/special/annual) election held on _____, 20__, in accordance with the applicable provisions of law.

4. ~~**(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the **Town of Sullivan** was duly passed by the **Town Board** on _____, 20__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** on _____, 20__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20__, in accordance with the applicable provisions of law.~~

5. **(City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36/37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20__, became operative.

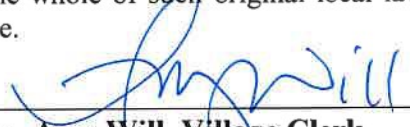
6. **(County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November __, 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.





Hon. Amy Will, Village Clerk
Village of Morrisville
Date: 7/12/24