

**LOCAL LAW NO. 1 - 2011  
OF THE VILLAGE OF RUSHVILLE  
COUNTIES OF YATES AND ONTARIO  
STATE OF NEW YORK**

**A LOCAL LAW TO REGULATE AND CONTROL  
THE SPREAD AND GROWTH OF GRASS, WEEDS, AND BRUSH**

**Section 1: Purpose**

The purpose of this local law is to control the spread of weeds to surrounding lots and the spread of allergy-irritating pollen to adjoining lots, to protect the property values, to prevent blight and the spread thereof and to ensure Village-wide, uniform yard maintenance standards that will promote the health, safety and general welfare of the residents and business owners in the Village of Rushville, their employees, patrons, guests and invitees and any travelers within the Village of Rushville.

**Section 2: Maintenance**

- A. The owner of every lot within the Village of Rushville shall maintain such lot to ensure that no growth of weeds or grass shall exceed ten inches in length or height and to ensure that there is no accumulation of dead weeds, grass or brush.
- B. The owner of every lot within the Village of Rushville shall maintain such lot to ensure that all hedges and bushes are kept trimmed and free from becoming overgrown and unsightly where exposed to public view or where the same may constitute a blighting factor thereby depreciating adjoining property.
- C. It is prohibited to allow hedges, shrubs or trees to encroach onto public sidewalks and lines of sight of public streets and roadways.

**Section 3: Abatement of Violations**

- A. If the provisions of the foregoing sections are not complied with, the Village of Rushville Code Enforcement shall serve by regular mail and certified mail, written notice upon the owner, occupant or any person having the control of any such lot or land of such violation of this article and which advises such owner, occupant or person having the control of any such lot or land to comply with the provisions of this local law within 10 days of the date such notice of violation is mailed.

- B. If the person upon whom the notice is served fails, neglects or refuses to cure the violation within 10 days of the date such notice is mailed, or if no person can be found in the Village of Rushville who either is or claims to be the owner of such lot or land or who either represents or claims to represent such owner, the Village of Rushville Code Enforcement Officer shall cause such weeds, grass and other vegetation on such lot or land to be cut and removed. The actual cost of such cutting and removal, plus a service charge of 50% thereof to cover the cost of supervision and administration, shall be certified by the Village of Rushville Code Enforcement Officer to the Village Mayor and such certified amount shall thereupon be charged and assessed against the owner, tenant or occupant of the property that was the subject of the violation. The expense, so assessed, shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Village taxes and charges.
- C. The owner, occupant or any person having control over any lot, land or property found in violation of this local law **shall be notified in writing only once in any given year for a particular violation**. Subsequent violations of a similar nature at the same location during the same year shall be corrected by the Village or its agent without notice to the owner, occupant or person having control of said property. After initial notification, such owner, occupant or person having control of said property will be presumed to have been given sufficient notice of infraction for the entire season. The cost incurred by the Village incurring any subsequent violations shall be collected in the same manner as set forth in subsection B of the section.

#### **Section 4: Administration and Enforcement**

The Code Enforcement Officer of the Village of Rushville is hereby authorized to administer and enforce the provisions of this Local Law.

#### **Section 5: Effective Date**

This Local Law shall become effective upon its adoption by the Board of Trustees of the Village of Rushville and its filing with the NYS Department of State.

**ADOPTED 07/11/2011**

**FILED NYS DOS 07/19/2011**

