

**Village of Little Valley
Local Law 4 of 2006
Property Maintenance Law**

A local law amending local law 1-1998, Property Maintenance Law of the Village of Little Valley

SECTION 1. TITLE

This law shall be known as the "Property Maintenance Law" of the Village of Little Valley.

SECTION 2. LEGISLATIVE INTENT

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 Little Valley, as is the safeguarding of their material rights against unwarranted invasion and the protection of the public health. In addition, such an environment is deemed essential to the maintenance of and continued development of the economy of the Village of Little Valley and the general welfare of its citizens. Therefore, recognizing the above and the need of the community for an effective and well regulated procedure for the disposal of garbage and rubbish, and for the maintenance of residential and business premises, whether improved or vacant, the Village Board does hereby enact this Local Law.

SECTION 3. APPLICABILITY

All residential and business premises located within the Village of Little Valley, 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 Little Valley and the other statutes and regulations of state and local agencies having jurisdiction applicable thereto. Where a provision of this law is found to be in conflict with any provision of any existing local law, ordinance, code, or regulation, the provision or requirement which is more restrictive or which establishes the higher standard shall prevail.

SECTION 5. DEFINITIONS

The words used in this local law shall be defined as follows:

BUSINESS UNIT A building or combination of buildings and the lot on which the same is located, which is used wholly or in part for commercial purposes, including but not limited to offices, places of public assembly, shopping centers, restaurants, supermarkets, retail stores, warehouses, manufacturing or fabrication plants, gasoline stations and other business uses.

DWELLING UNIT A building or portion thereof that provides complete housekeeping facilities for one family. 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.

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

HOUSEHOLD PET Animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include, but are not limited to, dogs, cats, rabbits, domestic birds such as parrots and parakeets, domestic mice and rats, and domesticated snakes.

INFESTATION The presence, within or contiguous to a structure of premises, of insects, rats, rodents, vermin or other pests.

JUNK One or more of the following items: junk appliance, junk furniture, junk mobile home, junk motorized equipment, junk vehicle, litter, rubbish.

JUNKYARD A lot, land or structure, or part thereof, used for the collection, storage, packing, and/or sale of waste paper, scrape metal, rags, junk, or similar waste material, including the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts.

JUNK APPLIANCE Any stove, washing machine, dryer, freezer, refrigerator, air conditioner, television, or other household device or equipment which is abandoned, junked, discarded, wholly or partially dismantled or no longer in condition for ordinary use for the purpose for which it was originally intended.

JUNK FURNITURE Abandoned, discarded or irreparably damaged pieces of furniture including, but not limited to, sofas, lounge chairs, mattresses, bed frames, desks, tables, chairs, chests of drawers and the like.

JUNK MOBILE HOME Any enclosed dwelling built upon a chassis, motor vehicle, or trailer used or designed to be used for either permanent or temporary living and/or sleeping purposes including manufactured homes built to the standards of the Federal Manufactured Housing Construction and Safety Standards Act of 1974 and mobile homes built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which meets two out of three of the 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.

JUNK MOTORIZED EQUIPMENT Typical home tools, including but not limited to, lawn mowers, weed whackers; farm machinery; construction equipment and vehicles; motors; or parts thereof, which are no longer intended or in condition for ordinary and customary use.

The term "junk motorized equipment" does not include inoperable farm or construction vehicles, implements, equipment or machinery retained for the purpose of salvaging usable parts in connection with the ongoing operation of an on-site farm or construction business, provided that such items are stored within a consolidated area out of the public view.

JUNK VEHICLE Any motor vehicle, or used parts or waste materials from such vehicles which, taken together, equal in bulk one or more such vehicle(s), which meets two or more of the following criteria:

1. It is unlicensed;
2. It is either abandoned, wrecked, stored, discarded, dismantled, or partly dismantled;
3. It is not in condition for legal use upon the public highway.

With respect to any motor vehicle not required to be licensed or motor vehicle not usually used on public highways, the fact that such motor vehicle is not in condition to be removed under its own power shall be presumptive evidence that such motor vehicle is a junk vehicle unless refuted by verifiable and credible proof.

LITTER Garbage and/or rubbish as herein defined and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

LOT A plot, tract, premises or parcel of land, with or without buildings or structures located thereon, as surveyed or apportioned for sale or other purposes

MOTOR VEHICLE All vehicles propelled or drawn by power other than muscle power originally intended for use on public highways, including but not limited to automobiles, buses, trailers, trucks, tractors, motor homes, truck campers, camping trailers, campers, travel trailers, pop-up trailers, tent trailers and overnight trailers, motorcycles, and mini-bicycles. This term shall also include all terrain vehicles, and snowmobiles.

NATURAL LANDSCAPED AREA A landscaped area purposely left to grow in a natural state. Vegetation can include grasses and plants indigenous to the New York State area, as well as non-indigenous plants and flowers. Natural landscaped areas may be unmowed or mowed intermittently, but are maintained as needed.

OUTDOOR STORAGE The placing, maintaining or keeping of any item in a place other than in a structure that has a roof and is fully enclosed on all sides.

OWNER The person having legal title to a property. For purposes of implementing this local law, the person listed on the current assessment rolls of the Village as the owner of a particular parcel shall be construed to be the owner of that property.

PERSON One or more individuals of either sex, natural persons, firms, corporations, partnerships, associations, companies or organizations of any kind.

PRIVATE PROPERTY OR PRIVATE PREMISES Any real estate or part thereof, yard or driveway, other than that used as a public place, road, street or highway.

PUBLIC NUISANCE AFFECTING HEALTH A nuisance which is an occupation of or use of property, equipment or structures, either private or public, affecting the health of one (1) or more persons.

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.

RESIDENT Any person having a domicile within general limits of the Village, including landlords and tenants. The term shall also include any person, firm, partnership, corporation or other association operating an established business within the limit of the Village of Little Valley.

RESIDENTIAL PREMISES A building or combination of buildings used solely for personal living purposes of the occupants thereof, whether as owners or tenants thereof and not used for any business purposes.

WASTE MATERIAL All material including, but not limited to, waste produced by industrial or manufacturing processes, including 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.

YARD An open space on the same lot that contains a building and is located between the building line and the lot line which the particular building line faces.

YARD, FRONT The open space on a lot, which extends across the full width of the lot between the front lot line and the nearest part of a building or structure.

SECTION 6. PROHIBITED ACTS

- (A) The outdoor storage of junk, garbage, litter and/or rubbish, regardless of quantity, except as is otherwise explicitly permitted in this local law, is prohibited.
- (B) It shall be unlawful for any person to throw, spill, place, deposit, leave or cause to be thrown, spilled, placed, deposited or left, or permit any agent, servant, or employee to throw, spill, place, deposit, or leave, in or upon any street, highway, alley, sidewalk, park or public building or in any running water or body of water within the Village of Little Valley, any garbage, rubbish, waste material and/or litter, including, but not limited to sewage, excrement, slops, dead carcasses, ashes, soot, any material subject to be carried by the wind, or any unwholesome or putrescible matter of any kind.
- (C) It shall be unlawful for any person, whether as owner, lessee, agent, tenant or otherwise, to throw, cast, spill or otherwise deposit or cause or permit to be thrown, cast, spilled or deposited any litter, rubbish, garbage, manure, offal or other decomposable organic or putrescible matter in or about any land or lot, vacant or otherwise, within the Village of Little Valley corporate limits.
- (D) No person shall allow or permit the continuance of a public nuisance affecting health, as defined herein.
- (E) **Exception.** 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.

SECTION 7. LITTER

Residential premises and business units shall be maintained free of litter; provided however, that this section shall not prohibit the storage of garbage and rubbish for up to seven days prior to collection, in receptacles that meet the requirements of this local law.

SECTION 8. OPEN AREAS AND PARKING SPACES

- (A) Surface or subsurface water shall be appropriately drained to protect buildings and structures and to prevent the development of stagnant ponds. Gutters, culverts, catch basins, drain inlets, stormwater sewers, or other satisfactory drainage systems shall be utilized where necessary. No roof, surface or sanitary drainage shall create a structural, safety or health hazard by reason of construction, maintenance or manner of discharge. Surface or subsurface water and any other type of runoff must be properly drained so as to avoid erosion, mudslides, or similar hazards. Parking and open areas shall be landscaped in order to prevent soil erosion.
- (B) Fences and other minor construction shall be maintained in a safe and substantial condition.
- (C) Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled and necessary repairs or replacements shall be made.
- (D) Yards and vacant lots shall be kept clean and free of physical hazards, rodent harborage and infestation. They shall be maintained in a manner that will prevent dust or other particles from being blown about the neighborhood. Open wells, cesspools, or cisterns shall be securely closed or barricaded from access to the public.

SECTION 9. INFESTATION AND SCREENING

- (A) 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.
- (B) 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.

SECTION 10. GARBAGE AND RUBBISH

(A) General Standards

1. Garbage and rubbish shall be collected weekly and removed from the premises.
2. No resident shall place, or cause to be placed, garbage or rubbish out for pick-up prior to twenty-four hours before the scheduled pickup time.
3. Adequate sanitary facilities and methods shall be used for the collection, storage, handling, and disposal of garbage and rubbish in accordance with the provision of applicable codes.

(B) Business Units

1. Garbage and rubbish shall be kept inside a building at all times. No outdoor storage of garbage or rubbish shall be permitted, except in a metal dumpster that has four sides and a lid or in a metal or plastic receptacle with a tight-fitting lid. Lids shall be kept closed at all times except when garbage or rubbish is being placed inside it.
2. Dumpsters and receptacles shall be stored in an enclosed area. Enclosures shall have a non-transparent or opaque fencing made of wood or metal of not less than six (6) feet in height, fully surrounding the receptacle.
3. Dumpsters and receptacles shall be placed upon a washable surface made of concrete or similar substance.

(C) Single Family Dwelling and Two Family Dwelling

1. No garbage or rubbish may be stored in the front yard.
2. All garbage and rubbish that is awaiting a scheduled pickup shall be kept in tightly sealed containers that do not allow the entrance of vermin, raccoons or other animals.

(D) Multiple Family Dwelling

All multiple family dwellings shall conform to the requirements for business units, above.

SECTION 11. HOUSEHOLD PETS

- (A)** Household pets shall not be kept on any premises in such a manner as to create unsanitary conditions or to constitute a nuisance.
- (B) Pooper Scooper Law.** All person(s) shall clean up fecal matter from their household pet that is deposited on any other person's property or upon the Village rights-of-way.

SECTION 12. WEEDS AND GRASS

- (A)** All premises and immediate exterior property shall be maintained free from grass, weeds or plant growth in excess of 8 inches. The Enforcement Official shall determine what constitutes the "immediate exterior property," based on the potential hazard from vermin and/or fire.
- (B) Exception:** This section shall not be construed to prevent the raising of garden or cultivated crops; the maintenance of a natural landscaped area; or the presence of regularly maintained

compost piles; or to unreasonably require the cutting of grass and brush on undeveloped properties except in the immediate vicinity of other developed properties.

- (C) The owners of all private property are hereby required to cut, trim or remove brush, fallen tree limbs, high grass, and weeds from their premises and to keep such premises in a reasonably clean and sanitary condition so as to prevent the breeding of insects or vermin and to prevent the spread of noxious weeds to adjoining premises. Premises situated at street intersections or on curved streets shall be kept in such condition as to give a clear and unobstructed view of the intersection or curve.

SECTION 13. JUNK VEHICLES AND UNLICENSED VEHICLES

- (A) The outdoor storage of junk vehicles and unlicensed vehicles is prohibited. No more than five junk vehicles or unlicensed vehicles may be stored in legal, fully enclosed structures.

(B) **Exceptions:**

- (1) Unlicensed vehicles in operating condition may be stored outdoors, for up to ten (10) days, by or for the owner, if both of the following conditions apply:
 - (a) The vehicle is not stored in the front yard, and
 - (b) The vehicle is for the personal use of the occupant, or of an immediate family member of the occupant, of the premises on which the vehicle is stored.
- (2) The resident of the property has a valid storage permit for the unlicensed vehicle.
- (3) The resident of the property has a valid restoration permit for the vehicle.
- (4) An automobile dealer licensed by New York State, and who is conducting business in accordance with the regulations of the Village of Little Valley zoning law, is permitted to have unlicensed vehicles for sale on the lot where the business is conducted. All vehicles shall be in condition for use on the public highways.
- (5) An automobile repair shop licensed by New York State, and who is conducting business in accordance with the regulations of the Village of Little Valley zoning law, may have disassembled vehicles awaiting repair. These vehicles shall be repaired and be in condition for use on the public highways within 90 days of the date on which they were first brought to the site.

(C) **Unlicensed Vehicle Storage Permits**

- (1) The open storage of unlicensed vehicles for longer than ten (10) days is prohibited, unless the occupant of the premises obtains an Unlicensed Vehicle Storage Permit from the Village of Little Valley. The occupant of the premises shall apply to the Building Code Enforcement Officer for a permit to store such vehicle. The Building Code

Enforcement Officer may grant such a permit, for a period not to exceed one year, if the applicant shows 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 to the owner of the unlicensed vehicle:

- (a) A full time student who is attending a school, college, or university
- (b) A member of the United States Armed Forces
- (c) Suffering from an injury or illness requiring hospitalization or confinement to a bed

- (2) A valid permit to allow the storage of an unlicensed vehicle shall require that the vehicle not be stored in the front yard, as defined herein, and shall have a term for the permit. Upon expiration of the permit, the vehicle shall be licensed or removed, or the owner may apply for an extension of the permit, if the situation remains unchanged.

(D) Restoration Permits

- (1) A person may apply to the Building Code Enforcement Officer for a restoration permit. The restoration permit will allow the outdoor storage and repair of one junk or unlicensed vehicle. The repairs shall be for the purpose of restoring the vehicle to a condition such that it may legally be operated on public highways.
- (2) The Building Code Enforcement Officer may issue the restoration permit only if all the following conditions are met:
 - (a) The vehicle is for the personal use of the occupant of the property on which the vehicle will be located and the vehicle is not being restored for commercial purposes.
 - (b) Vehicle is in an enclosed structure during periods of restoration and is not stored in the front yard the remainder of the time.
 - (c) Noise and other nuisances associated with the restoration shall be limited to between the hours of 7:30 a.m. through 9:00 p.m.
- (3) The Restoration Permit shall be valid for a period of six months. The applicant may apply for an extension of the permit, for up to an additional six months. The Building Code Enforcement Officer may issue an extension, provided that sustained and continuous progress in restoring or repairing the vehicle is being made.

(E) 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 (30) days from the date of notification by the Enforcement Official.

(F) Farm vehicles in road-worthy condition must be properly registered and meet all requirements of the New York State Department of Motor Vehicles.

SECTION 14. EXTERIOR PROTECTION

(A) Foundation Walls

- (1) The foundation walls of every structure shall be maintained in good repair and shall be structurally sound.
- (2) Foundation walls shall be considered in good repair and structurally sound if found free from damage and defects and capable of bearing imposed loads.

(B) Stairs, Porches and Railings

- (1) The stairs, porches and railings affixed to the exterior of every structure shall be kept in good repair and be structurally sound. Railings shall be provided for stairs and balconies and, where necessary, for porches and accessible roofs.
- (2) Stairs and porches shall be considered to be in good repair and structurally sound when found to be free of holes, cracks, and be capable of supporting imposed loads. Railings shall be designed to withstand both vertical and horizontal forces in accordance with generally accepted standards.

(C) Weatherproof and Watertight

- (1) Every structure shall be so maintained that it will be weatherproof and watertight.
- (2) Exterior walls, roofs, and all openings around doors, windows, chimneys and all other parts of the structure shall be so maintained as to keep water from entering the structure and to prevent heat loss. Damaged materials must be repaired or replaced. All parts of the structure that show evidence of dry rot or other deterioration shall be repaired or replaced and refinished. Such replacement shall be in conformity with the remainder of the structure.
- (3) **Windows, Doors and Hatchways.** Every window, exterior door and basement hatchway shall be substantially tight and shall be kept in sound condition and repair.
- (4) **Windows to be glazed.** Every window sash shall be fully supplied with glass windowpanes or an approved substitute, which are without open cracks or holes.
- (5) **Windows to be tight.** Every window sash shall be free of rot, structural defects and fit reasonably tight within its frame.
- (6) **Windows to be openable.** Every window, other than a fixed window, shall be capable of being opened and shall be held in position by window hardware.
- (7) **Door hardware.** Every exterior door, door hinge, and door latch shall be maintained in good condition.

- (8) **Doors to fit in frame.** Every exterior door, when closed, shall fit reasonably well within its frame.
- (9) **Window and door frames to fit in wall.** Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain and to substantially exclude wind from entering the dwelling.

(D) Protective Coating for Wood Surfaces

- (1) All exterior wood surfaces of a structure, not inherently resistant to deterioration by the natural elements, shall be treated with a protective coating or preservative to prevent structural deterioration.
- (2) Exterior wood surfaces shall be adequately protected against deterioration, through the application of approved protective coatings.
- (3) **Lead Base Paint Prohibition.** In accordance with the Code of Federal Regulations, use of lead base paint is prohibited in residential structures on "applicable surfaces"; meaning all interior and those exterior surfaces, such as stairs, decks, porches, railings, windows, and doors, which are readily accessible to children.

(E) Overhanging Objects

- (1) Every structure shall be free of loose overhanging objects.
- (2) Exterior walls, roofs, and all parts of the structure shall be free from loose and unsecured objects and materials. Such objects or materials shall be removed, repaired, or replaced.

SECTION 15. DUTIES OF OWNERS AND OCCUPANTS

- (A) An occupant or tenant of the premises shall be responsible for compliance with this law, as if he/she were an owner.
- (B) Owners of premises shall be responsible for compliance with the provisions of this law and shall remain responsible therefor regardless of the fact that this law may also place certain responsibilities on tenants or occupants and regardless of any agreements between owners and tenants or occupants as to which party shall assume such responsibility.
- (C) Whenever any person or persons shall be in actual possession of or have charge, care or control of any property within the Village as executor, administrator, trustee, guardian, operator or agent, such person shall be deemed and taken to be the owner or owners of said property within the true intent and meaning of this law and shall be bound to comply with the provision of this law to the same extent as the owner of record. Notice to any such person of any order or decision of the Enforcement Official shall be deemed and taken to be

a good and sufficient notice, as if such person or persons were actually the owner(s) of record of such property. In instances where an occupant is responsible or shares responsibility with the owner for the existence of one or more violations of this law, such occupant shall be deemed and taken to be an owner within the true intent and meaning of this law.

SECTION 16. ADMINISTRATION AND ENFORCEMENT

(A) Enforcement Official

- (1) The Building Inspector, or other party designated by the Village Board of Trustees at the annual reorganization meeting, is hereby designated as the enforcement official charged with the administration and enforcement of this local law. The Superintendent of Public Works, or other party designated by the Village Board of Trustees at the annual reorganization meeting, is hereby designated as the deputy enforcement official, when the Building Inspector is not available.
- (2) The Enforcement Official and deputy enforcement officials, designated by the Village Board, are authorized to make inspections of property, to respond to complaints, to issue Notices of Violations and to issue Appearance Tickets, where necessary to enforce the provisions of this local law.

(B) Complaints

- (1) Any person may file a complaint with the enforcement official that a violation of this law may have taken place or is allegedly taking place. All complaints shall be in writing and shall specify the property on which the alleged violation has occurred.
- (2) The enforcement official shall record and investigate any such complaint.
- (3) The enforcement official may also investigate any alleged violation that he or she has reason to believe has occurred or is occurring.

(C) Inspection

- (1) 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 is necessary, shall obtain approval from an owner, lessee, agent, tenant, or other person with authority, to make an inspection of the property.
- (2) Following the inspection of the property, the enforcement official shall file a written report, which details the findings of his/her inspection, with the Village Clerk.

- (3) The enforcement official shall also file a written report to the Village Board of Trustees, listing all inspections, findings and violations. The report shall be made monthly, or for such other time period as the Village Board shall specify.

(D) Notice of Violation

- (1) If the enforcement official finds that a violation of this local law exists on the property, he/she shall prepare a written Notice of Violation which shall contain the following information:
 - (a) The name of the owner or occupant to whom the Notice shall be addressed
 - (b) The location of the premises involved in the violation
 - (c) A statement describing the condition of the premises at the time of the inspection, and showing in which way the premises is in violation of this local law
 - (d) A demand that the violation be remedied to comply with this local law within 15 days of the date of the Notice of Violation.
 - (e) A statement that a failure to comply with the demand may result in prosecution.
- (2) The Notice of Violation shall be served by personal service or by certified mail, return receipt requested, addressed to the last known address of the property owner or occupant. If said certified mail is refused or returned, service upon the property owner or occupant shall be made by mailing a copy of the notice by first class mail to the address of the property owner in a post office or official depository under the exclusive care and custody of the United States Postal Service within the State of New York. Service shall be deemed complete upon depositing the notice in an official depository of the United States Postal Service within the State of New York.
- (3) **Extension.** Upon application of the owner or occupant showing reasonable cause, the enforcement official may grant an extension of up to thirty days for the owner or occupant to comply with the demands of the Notice of Violation.

(E) Enforcement

If, after the expiration of fifteen days from the date of mailing of the Notice of Violation, or after the completion of any extension period, the owner or occupant shall fail to comply with the requirements of this law, the enforcement official or Village Board may institute enforcement procedures as follows:

- (1) The enforcement official is hereby authorized, pursuant to Criminal Procedure Law Section 150.20 (3), to issue an appearance ticket to any person whom the enforcement official has reason to believe has violated this law, and shall cause such person to appear before the court.
- (2) 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 so affected by including such expense in the next annual tax levy against the property.

- (3) The Village Board may also maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this law.

(F) Penalties

- (1) Every person convicted of violating this local law shall, for a first conviction thereof, be punished by a fine of not more than two hundred fifty dollars (\$250.00) or by imprisonment for not more than twenty (20) days or by both. For a second conviction within eighteen months, such person shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than sixty (60) days or by both fine and imprisonment. Upon the third or subsequent conviction(s) within eighteen months after the first conviction, such person shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment of not more than ninety (90) days or by both such fine and imprisonment.
- (2) Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect or refusal shall continue.

SECTION 17. SEPARABILITY

Each separate provision of this local law shall be deemed independent of all other provisions therein, and if any provision shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 18. FEES

The Village Board of Trustees may set reasonable fees to cover the cost of issuing any permits required by this local law.

SECTION 19. EFFECTIVE DATE

This local law shall take effect immediately upon adoption.