

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET, ALBANY, NY 12231

(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 of Groveland

Town

Village

Local Law No. 1 of the year 2025

A local law Junk/Rubbish Storage Law  
(Insert Title)

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

~~County~~

~~City~~

Town

~~Village~~

of Town of Groveland

as follows:

To regulate and control the storage or keeping of junk and rubbish on both residential and commercial properties. The Town Board hereby declares that a clean, clean, wholesome, and attractive environment is of vital importance to the continued welfare of it's citizens, and that junk/rubbish can constitute a hazard to property, persons, and water resources, and can be a public nuisance.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

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

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2005 of the ~~(County)~~(City)(Town)(Village) of Groveland was duly passed by the Town Board on June 9, 2005, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

**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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ 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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

**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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ 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.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**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.

Jandra L. Bear  
 KANE COUNTY LEGISLATIVE BODY Clerk  
 position designated by local legislative body

**(Seal)**


**Date:** July 21, 2005

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Livingston

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

of the local law annexed hereto.



Signature

TOWN ATTORNEY

Title

County \_\_\_\_\_  
City of GROVELAND \_\_\_\_\_  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: 7/9/05

**Junk/Rubbish Storage Law**  
*of*  
**the Town of Groveland, Livingston County, New York**

**Article 1: Introduction**

***Section 1. Authority***

Be it enacted by the Town Board of the Town of Groveland as follows:

The Town of Groveland Junk/Rubbish Storage Law is adopted pursuant to the authority granted the Town in Section 10 of the New York State Municipal Home Rule Law and in Section 130 (6) of New York State Town Law.

***Section 2. Title***

This local law shall be known as the “Junk/Rubbish Storage Law of the Town of Groveland, New York.”

***Section 3. Purpose***

By adoption of this law the Town of Groveland declares its intent to regulate and control the storage or keeping of junk and rubbish on both residential and commercial properties. The Town Board hereby declares that a clean, wholesome, and attractive environment is of vital importance to the continued welfare of its citizens, and that junk/rubbish can constitute a hazard to property, persons, and water resources, and can be a public nuisance. The presence of junk/rubbish is unsightly and tends to detract from the value of surrounding properties.

The purpose of this law is to further;

- Avoid, prevent and eliminate conditions, which if permitted to exist or continue will depreciate or tend to depreciate the value of adjacent or surrounding properties.
- Preserve property values in the Town of Groveland
- Maintain the value and economic health of the commercial properties and businesses that serve and support the Town of Groveland and its citizens

***Section 4. Prior Existing Junk Law***

This local law shall replace and supersede any prior existing law regarding property maintenance and junk/rubbish storage within the Town of Groveland. Where agriculture and market law applies, agriculture and market law supersede this law.

***Section 5. Interpretation***

Where the conditions imposed by any provision of this law, are either more restrictive than comparable conditions imposed by any other law, ordinance, resolution, rule or regulation of any

kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.

### ***Section 6. Definitions***

As used in this chapter, the terms defined in Appendix A shall have the meanings indicated. Please refer to Appendix A.

## **Article 2: Junk Maintenance Regulations**

The exterior of all premises shall be kept free of the following matter, material, or condition:

- Rubbish or junk as defined in this law
- Rodents, vermin, pest infestations or rodent harborages.
- Nuisance as herein before defined.

## **Article 3: Exclusions**

Article 2 shall not apply to the storage or placement on the premises of the following material:

- Wood intended for consumption in a wood burning stove, furnace or fireplace located in a building on the premises.
- Lawn or yard or garden ornaments and implements.
- Lawn and patio furniture.
- Operable farm, garden and yard machinery and apparatus used on the premises.
- Standing fences.
- Hoses and sprinklers used for watering lawns or gardens.
- Storage or placement and accumulation of materials in connection with a commercial operation duly conducted on the premises where such storage, placement and accumulation is expressly permitted by the laws of the municipality.
- Construction materials and equipment used for the construction or renovation of a building on the premises for which a building permit has been issued.

## **Article 4: Administration and Enforcement**

### ***Section 1. Enforcement Officer***

The code enforcement officer and/or building inspector of the Town are hereby designated, unless otherwise designated by the Town, as the officer(s) charged with the enforcement of this chapter and is hereinafter referred to as the enforcement officer.

The enforcement officer shall make periodic inspections of the Town to ensure that violations of this statute do not exist, and the requirements of this law are met. Any observed violations shall be noted and the property owner contacted for compliance.

The enforcement officer shall enter the premises of any private property with the consent of the owner or upon a proper court order, or may make an evaluation from any public way.

### ***Section 2. Notice of violation; Issuance of Summons***

Whenever the enforcement officer determines that there is a violation of any provision of this chapter, he shall give notice of such violation to the person, persons or entities responsible therefore under this chapter.

Such notice shall be in writing and shall include a concise statement of the reason for the issuance.

Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by certified mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax lists of the municipality, or a copy thereof handed to such person or persons, or copy thereof left at the usual place or abode or office of such person or entities.

Notice shall be given as aforesaid within or without the municipality.

The notice shall also state that unless the violation is abated, removed, cured, prevented, or desisted from within thirty (30) days of the date of the service of such notice (exclusive of the date of service) a summons shall be issued for such violation

The enforcement officer may, at any time he issues the notice, extend the period for compliance with the violation stated in the notice for period in excess of the foresaid thirty (30) days if, in his judgment, the abatement, removal, prevention, cessation of or cure of the condition violated cannot reasonably be effected within the thirty ( 30 ) day period. In such cases, the enforcement officer shall state such reasonably required extended period in the notice, which shall then be applicable instead of the aforesaid thirty (30) days.

In the event that the violation is not abated, removed, cured, prevented or desisted from or successfully remedied within the thirty (30) day period or within such period as set forth in the notice pursuant to foregoing, a summons shall then be issue against the person, persons, or companies so notified.

### ***Section 3. Penalties***

A. Any person who shall violate any of the provisions of this local law shall be guilty of an offense and subject to a mandatory fine

- not to exceed one hundred dollars ( \$100.00 ) for the first violation
- and two hundred and fifty dollars ( \$ 250.00 ) for each offense after
- and up to fifteen (15) days in jail.

B. Every persons shall be deemed guilty of a separate offense for each day such violation, disobedience, omission, neglect or refusal shall continue.

## **Article 5: Severability**

If any clause, sentence, paragraph, section or article of this local law shall be adjudicated by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such judgment shall have been rendered.

## **Article 6: Effective Date**

This law shall be effective upon filing with the Secretary of State

## **Appendix A**

**ENFORCEMENT OFFICER** - Any person appointed by the Town Board to represent them in particular matters pertaining to this local law

**JUNK** - The outdoor storage or deposit of any, but not limited to, of the following shall constitute junk.

**MOTOR VEHICLES** - Two or more inoperative or unlicensed, uninsured, uninspected, motor vehicles, or the used parts or waste materials from motor vehicles which, taken together, equal in bulk two or more such vehicle, shall not be parked, kept or stored on any premises, except as provided for in statute or other regulations. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless contained inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

Exception: Vehicles regularly operated and used onsite in the day-to-day activities of commercial and/or industrial premises, including seasonal use recreational use vehicles shall not be construed as junk.

**APPLIANCES** - One or more abandoned or inoperable appliance including but not limited to any stove, washing machine, dryer, dish washer, refrigerators, freezers, television, computer equipment, hot water heaters, water purification units or other household device or equipment abandoned, junked, discarded, or wholly or partially dismantled, or otherwise left un-housed or otherwise left exposed to the elements, no longer intended or in the condition for ordinary use.

**FURNITURE** - One or more abandoned or irreparably damaged pieces of indoor or outdoor furniture including but not limited to sofas, lounge chairs, mattresses, bed frames, desk, tables, chairs, and chest of drawers

**LAWN EQUIPMENT** - One or more items of abandoned, discarded, or obviously unusable lawn or garden equipment.

**RECREATIONAL VEHICLE** - One or more boat, water craft, recreational equipment, four-wheeler, all-terrain vehicle, mini bike, snowmobile, not able to be used.

**FIXTURES** - One or more kitchen or bathroom fixtures, including but not limited to sinks, toilets, tubes, showers, faucets, counter tops.

**MANUFACTURED HOME/MOBILE HOME** - A structure, transportable in one or more sections, built on a permanent chassis and designed to be used as a dwelling unit, which



is currently not inhabited and is no longer habitable under the New York State Uniform Fire Protection and Building Code.

**JUNK YARD** - A commercial enterprise that recycles material and/or sells used parts of all sorts. Any junkyard will require a junkyard permit from the Town of Groveland. The junkyard enterprise must demonstrate the possession of all applicable town, county, state, and federal permits for this type of operation.

**MOTOR VEHICLE** - All vehicles propelled or drawn by power other than muscular power originally intended for use on public highways.

**NUISANCE** - Any public or private condition that would constitute a nuisance according to the statutes, laws and regulations of the State of New York or its governmental agencies or the ordinances or local laws of the Town.

Any physical condition existing in or the exterior of any premises, which is potentially dangerous, detrimental, or hazardous to the life, health or safety of persons on, near or passing within the proximity of the premises where such condition exist.

**PERSONS** - Any individual, firm, partnership, association, corporation, company, or organization of any kind.

**RUBBISH** - All discarded, useless, unusable, unused or worthless solid waste matter or materials, including but not limited to garbage, trash, ashes, paper, paper goods and products, wrappings, cans, bottles, containers, yard clippings, garden waste, debris, junk, glass, boxes, crockery, wood, mineral matter, plastic, rubber, tires, leather, furniture, household goods, appliances, bedding, scrap metal, construction material. Inoperable machinery or parts thereof, garden equipment, and supplies, dead or rotting vegetation, abandoned, inoperative, or unusable automobiles and vehicles and solid commercial or industrial waste.

**STORAGE AREA** - The areas of any parcel of land or body of water used for the placement, storage or deposit of junk other than a commercial junkyard.

RECEIVED AUG 08 2005



STATE OF NEW YORK  
DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

August 2, 2005

RANDY A. DANIELS  
SECRETARY OF STATE

Town of Groveland  
4955 Aten Road  
Groveland, NY 14462

**RE: Town of Groveland, Local Law 1, 2005, filed on 7/25/2005**

To Whom It May Concern:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,  
Linda Lasch  
Principal Clerk  
State Records & Law Bureau  
(518) 474-2755

LL:cb