

Chapter 62

BRUSH, GRASS AND WEEDS

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden 2-7-1977 as Ch. 73 of the 1977 Code. Amendments noted where applicable.]

§ 62-1. Title.

This chapter shall be known as and may be cited as the "Brush, Grass and Weeds Law of the Village of Camden, New York."

§ 62-2. Purpose.¹

This chapter is enacted to protect the village from nuisances on property which may be detrimental to the health, safety and general welfare of the public.

§ 62-3. Definitions.

As used in this chapter, unless the context or subject matter otherwise requires, the following words shall have the following meanings:

BRUSH — Includes all manner and kinds of shrubs, thickets, undergrowth, vines and small trees growing in a wild or unkept state, but shall not include flowers, ornamental plants, trees or shrubs being kept in a good husbandlike manner.

ENFORCEMENT OFFICER — The officer or employee (or his subordinate, representative or agent) of the Village of Camden designated by the Board of Trustees to enforce this chapter.

§ 62-4. Control of brush, grass and weeds.

- A. Cutting and removal. It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any such owner or lessee or occupant having control of any lot or land or any part thereof, whether occupied or not, in the Village of Camden to permit or maintain on any such lot or land, or on or along the sidewalk, street or alley

¹ Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

adjacent to the same between the property line and the curb or middle of the alley or for 10 feet outside the property line if there be no curb, any growth of brush, weeds, grass or other rank vegetation to a greater height than 12 inches on the average or any accumulation of dead brush, weeds or grass.

- B. Rank, poisonous or harmful vegetation. It shall be unlawful for any such person or persons to cause, suffer or allow poison ivy, ragweed or other poisonous or noxious plants or plants detrimental to health to grow on any such lot or land in such a manner that any part of such ivy, ragweed or other poisonous or harmful weed shall extend upon, overhang or border any public place or allow the seed, pollen or other poisonous particles or emanations therefrom to be carried through the air into any public place.

§ 62-5. Duty of owner, lessee or occupant.

It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all such brush, weeds, grass or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of § 65-4, provided that the cutting and removing of such brush, weeds, grass and vegetation at least once in every three weeks between May 15 and September 15 shall be deemed to be a compliance with this chapter.

§ 62-6. Exceptions.

This chapter shall not be construed to apply to land under cultivation, land used for pasture or growing of domestic hay, naturally wooded areas or undeveloped areas which are at least 200 feet distant from any occupied building or residence.

§ 62-7. Enforcement procedures.

The enforcement officer shall serve written notice upon the owner, lessee or occupant or any person having control of such lot or land to comply with the provisions of this chapter. If the person upon whom the notice is served fails, neglects or refuses to cut and remove or to cause to be cut and removed such brush, weeds, grass or other vegetation within five days after receipt of such notice; or if no person can be found in the Village of Camden who either is or claims to be owner of such lot or land or who either represents or claims to represent such owner, the enforcement officer shall cause such weeds, brush, grass or other vegetation on such lot or land to be cut and removed, and the actual cost of such cutting and removal, plus 25% for supervision, inspection and other administrative costs in connection therewith, shall be certified by the enforcement officer to the Assessor and shall thereupon become and be a lien upon the property on which brush, weeds, grass and other vegetation were located and shall be added to and become and form part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as village taxes and shall be collected and enforced in the same manner as village taxes.

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§ 62-8. Penalties for offenses.²

Any person who shall neglect to cut or remove brush, weeds, grass or other vegetation as directed in this chapter or who shall fail, neglect or refuse to comply with the provisions of any notice, herein provided, or who shall resist or obstruct the enforcement officer in the cutting and removal of weeds, brush, grass and other vegetation shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty.

² Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).