

Local Law Filing

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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 Exeter
☒ Town
☐ Village

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
MAY 04 2006

Local Law No. 1 of the year 20 06

MISCELLANEOUS
& STATE RECORDS

A local law AN ORDINANCE/AMENDMENT REGULATING THE PLACEMENT AND STORAGE OF
(Insert Title)
JUNK IN THE TOWN OF EXETER

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

- ☐ County
☐ City of EXETER as follows:
☒ Town
☐ Village

(Delete this line of text and enter text of local law here)

SEE ATTACHED

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

AN ORDINANCE/AMENDMENT REGULATING THE PLACEMENT AND
STORAGE OF JUNK IN THE TOWN OF EXETER
ORDINANCE NO. 1 OF THE YEAR 2006

RESOLUTION FOR PROPOSED ORDINANCE / AMENDMENT

At a regular meeting of the Town Board of the Town of Exeter, Otsego County, New York, held at the Town Building at 7411 State Hwy 28, Schuyler Lake, NY, in said Town of Exeter, on the eleventh day of April, 2006, at 7 o'clock p.m., there were:

PRESENT: Town Supervisor: Sally Landers

Town Clerk: Dawn Mclean

Council Persons: Linda Davis, Patricia Struble, James Blackledge, Donald
Armstrong

ABSENT: None

BE IT ENACTED by the TOWN BOARD OF THE TOWN OF EXETER, as follows:

WHEREAS, The purpose of this ordinance is, through the regulation of junk, to promote a clean, wholesome, and attractive environment; protect the community from potential hazards to property and persons; protect water resources; preserve aesthetic qualities of the municipality; prevent depreciation of the property on which the junk is located and the property of other persons in the neighborhood and the community. Furthermore, outdoor storage, accumulation, deposit or placement of such items creates a significant fire hazard, endangers the environment and ground water, leads to infestation by insects, vermin or rodents, and has a deteriorating and blighting effect upon the neighborhood and community.

Article 2 – Section 2.2 – Definitions (to be added to the ordinance)

Junk Appliance: Any household appliance, including but not limited to, a stove, washing machine, dryer, dishwasher, freezer, refrigerator, air conditioner, water heater, or television, which is stored outside of any residence or structure.

Junk Furniture: Abandoned, discarded, or irreparably damaged furniture, including, but not limited to, sofas, lounge chairs, mattresses, bed frames, desks, tables, chairs, and chest of drawers, which is stored outside of any residence or structure.

Junk Mobile Home: Any manufactured housing unit designed with a chassis, and constructed to be towed or otherwise transported whole or in part to a site, and which is designed to permit occupancy for dwelling or sleeping, and which meets all of the following conditions:

- (1) it is unoccupied and in its present condition does not meet the requirements of the Federal HUD standard and the Building Code for residential occupancy.

of the Federal HUD standard and the Building Code for residential occupancy.

- (2) It is either stored, abandoned, wrecked, discarded, dismantled, or partly dismantled.
- (3) The electrical service is disconnected or terminated.

Junk Motor Homes / Trailers: Any enclosed dwelling unit built upon a chassis, motor vehicle, or trailer used or designed to be used for either permanent or temporary living or sleeping purposes, including motor home, truck trailers, camping trailers, campers, travel trailers, pop-up trailers, tent trailers, overnight trailers, and which meet the following conditions:

- (1) it is abandoned as a dwelling unit
- (2) it is either, abandoned, wrecked, discarded, dismantled, or partly dismantled.

Junk Motor Vehicles: The fact that a motor vehicle does not display a current motor vehicle registration or license plate shall be presumptive evidence that such motor vehicle is not in condition for legal use upon highways. Any motor vehicle, or used parts or waste materials from motor vehicles, which is:

- (1) unlicensed or unregistered; or
- (2) abandoned, wrecked, stored, discarded, dismantled, or partly dismantled; or
- (3) inoperable and not in condition for legal use upon the public highways.

Junk Recreational or Other Motorized Vehicle: Any recreational or other motorized vehicle, or used parts or waste materials from any recreational or other motorized vehicle, including, but not limited to: snowmobiles, all terrain vehicles, motorcycles, mopeds, dirt bikes, go-carts, golf carts; and motorized vehicles used for the purpose of construction, excavation, renovation, remodeling, repair, or demolition, of structures, property, or roads, and similar items, which is:

- (1) unlicensed or unregistered; or
- (2) abandoned, wrecked, stored, discarded, dismantled, or partly dismantled; or
- (3) not in condition for the use for which they are intended.

Debris: All materials resulting from construction, excavation, renovation, remodeling, repair or demolition of structures or property.

Rubbish: All discarded or worthless solid wastes consisting of both combustible and non-combustible waste, including, but not limited to; paper and paper products, rags, wrappings, cardboard, tin cans, wood products, glass, metals, plastics, tires, bedding, cloth, crockery, and similar items.

Outdoor Storage: The placing, maintaining or keeping of debris, junk appliance, junk furniture, junk mobile home, junk motor home/trailer, junk motor vehicle, junk recreational or other motorized vehicle, and rubbish in a place other than an enclosed structure.

ARTICLE 5 – GENERAL REGULATIONS APPLYING TO ALL DISTRICTS

Amend and omit current Section 5.9 – Junk Vehicles and replace with Section 5.9 – Property Maintenance

Section 5.9 – Property Maintenance

- a. The outdoor storage or deposit of any of the following, whether in connection with another business or not ***shall be prohibited;***
 - (1) more than 2 junk motor vehicles
 - (2) any junk mobile homes
 - (3) any junk motor homes / trailers
 - (4) any junk appliances
 - (5) any pieces of junk furniture
 - (6) any storing / maintaining of debris
 - (7) any storing / maintaining of rubbish.
- b. Agricultural equipment may be exempt only within the Agricultural Zoning District.

RESPONSIBILITY, The owner of the premises shall maintain the structures and exterior property in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy premises which do not comply with these requirements.

WHEREAS, this Board has been requested to consider and pass an ordinance for Property Maintenance and corresponding definitions for the purpose of protection and preservation of the property of the Town and all its inhabitants and of peace and good order therein.

MOTION; Sally Landers

SECOND; Linda Davis

 5 **AYES: Peter Blackledge, Patricia Struble, Donald
Armstrong, Linda Davis, Sally Landers**

 0 **NAYS**

I hereby certify that the Ordinance/Amendment annexed hereto, designated as Ordinance No. 1 of the year 2006 of the Town of Exeter was duly passed by the Town Board of Exeter on April 11, 2006, in accordance with the applicable provisions of law.

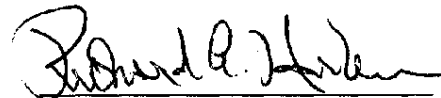
April 18, 2006


Clerk of the Town of Exeter

STATE OF NEW YORK
COUNTY OF OTSEGO

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

May 1, 2006


Richard A. Harlem
Town Attorney
Town of Exeter