

# NODE: Policy and Municipal Code Search Guide

## Identifying the Right Policy, Code or Rules

Places around the world have different policies, codes and rules for how informal green spaces, public spaces, or “vacant land,” is managed, zoned, and maintained. These could include general municipal or building codes specific to a city, sanitation and health regulations, or informal community rules among others. In many cases, similar codes may exist in various departments or agencies, while others may vary slightly based on enforcement mechanisms.

So to get started, it’s important to first consider the variety of rules, ordinances and laws to search for:

- **Municipal Code, Law, or Ordinance:** Ordinances or laws that are enacted and enforced by a village, town, city or county government.
- **Building Code:** Ordinances or laws that aim to protect public health, safety and general welfare as they relate to the construction and occupancy of buildings and structures. This often includes rules regarding “Vacant Land”, or property that is not in use, is in temporary use, or lacks permanent improvement.
- **Sanitation Rule or Regulation:** Ordinances, rules or laws that determine sanitation policies including trash disposal, recycling policies, illegal dumping, street cleaning, and maintenance of public space.
- **Health and Administrative Codes:** Ordinances, rules or laws that regulate public health such as air quality standards, -- of controlled substances like tobacco or alcohol, food preparation, and maintenance of rodents, insects, and other pests.
- **Land Use and Zoning Rule:** Land use and zoning laws involve the regulation of the use and development of real estate. The most common form of land-use regulation is zoning. Zoning regulations and restrictions are used by municipalities to control and direct the development of property within their borders.
- **Informal community rule:** Many communities have their own rules for how spaces are managed and cared for, that often are not represented in official municipal laws or ordinances.

## How To Search

1. Start by visiting your city, town or municipalities’ official website. In many cases they will outline the laws, rules and ordinances specific to that location.

2. If that doesn't produce the desired result, try a general Google search for an ordinance or rule in your area with some of the following keywords:

[your city, region name], noxious weeds, code, property, vegetation, pest, rule

Try also

[your city, region name], Sanitation, land use, building code, green space,

[your city, region name], land use zoning, public space, rule, law, weeds, invasive species

3. Once you have Identified the Municipal Code or Law, search for the exact language. This may exist on a city or regional website, or as a PDF collection of local ordinances and laws.

4. Now take a screenshot, and copy/paste the text into a Google Doc or text editing application for you to review and critique.

## Examples

**[NY] 302.4 Weeds.** Except as provided for in statute, local law, ordinance, or other regulations, all developed areas of a premises that are intended to be used by building occupants or the public shall be maintained free from weeds in excess of 10 inches (254 mm). Noxious weeds shall be prohibited.

**[NY] WEEDS.** Uncultivated vegetation such as grasses, brush, briars, and annual plants, excluding trees and cultivated vegetation, such as shrubs, flowers, gardens, and vegetation used for agricultural purposes.

## Section 1320

Noxious weeds and growths; declaration of nuisance

Public Health (PBH)

SHARE



1. Whenever in any health district there shall be growing on any property therein any ragweed or other species of weed, plant or growth which is noxious or detrimental to the public health, or the seed, pollen or other emanation therefrom, when carried through the air or otherwise dispersed, is noxious or detrimental to the public health, the local board of health of any such health district may take and file upon its records what it shall regard as sufficient proof to authorize a declaration that the existence of any such growth is a nuisance or danger to the public health, and may thereupon enter the same upon its records as a nuisance and order the same to be removed, destroyed or otherwise abated on any property wherever found.

2. The local board of health may also take and file among its records what it shall regard as sufficient proof to authorize a declaration that at any season or period of the year there exists a particular and imminent danger to the public health by reason of the approaching period of pollination of any such growth and may enter such determination upon its record.

## Article I Removal of Weeds and Growths

[Adopted 5-9-1961 by G.O. No. 17-1961]

☐ § 69-1 **Growths restricted; notice and remedial action.**

☐ § 69-2 **Violations.**

☐ § 69-3 through § 69-4. **(Reserved)**

☐ § 69-1 **Growths restricted; notice and remedial action.** <sup>[1]</sup>

- A. No person or corporation shall permit noxious weeds, long grass or other rank growths or growths which are harmful, poisonous or detrimental to health on real property owned by him or it.
- B. Upon due notice, in writing, by the Commissioner of Public Works of the City of Yonkers given to such owner to cut, trim, remove or otherwise eliminate such noxious weeds, long grass or other rank growths or growths which are harmful, poisonous or detrimental to health, and upon default thereafter being made by such owner within a period of five days after the mailing of said notice, the Commissioner of Public Works may cause said noxious weeds, long grass or rank growths or growths which are harmful, poisonous or detrimental to health to be cut, trimmed and removed or otherwise eliminated by the Department of Public Works and assess the expense thereof against the property whereon the same is found. Such charge, if unpaid, shall become a lien upon the property, subject to collection as a tax thereon, after due notice to the owner and a hearing as to the justness of the costs.

[1] *Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.*