

Example for a Proposal to Update a Municipal Maintenance Code

A. General Property Maintenance

Cutting and Removing Brush and Debris:

Owners of a vacant property and every owner, tenant, occupant, or leaseholder of occupied property shall maintain the property to prevent hazards or nuisances. This includes the removal of debris, rubbish, or other harmful materials. Landscapes that intentionally feature tall grasses and plant species that support birds, bees, and butterflies are permitted and encouraged, provided they do not impede safe passage or visibility along sidewalks and streets.

Vacant Retail Property:

Every owner of vacant retail property shall keep the inside premises broom clean, and all windows shall be kept free of garbage bags, paper, or other material used as window covering.

Street Collection Timing:

No material shall be placed at the street for collection prior to 9:00 p.m. the day preceding the scheduled collection.

Exterior Structure Maintenance:

The exterior of every structure or accessory structure, including signs, fences, and awnings, shall be maintained in good repair, free of any condition that would present a safety or fire hazard or adversely affect adjoining properties in the neighborhood. All surfaces shall be kept painted or otherwise provided with a protective coating sufficient to prevent structural deterioration and to maintain a reasonably good appearance, free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint, or other conditions reflective of deterioration or inadequate maintenance.

Notice of Non-Compliance:

In the event of non-compliance with the above requirements, the Village Administrator shall give notice to the person requiring compliance within seven days. If the owner of such property is a nonresident, such notice shall be addressed to their last known address.

Village Administrator's Authority:

After seven days from the date of mailing of such notice, if compliance is still lacking, the Village Administrator is authorized and directed to remedy the situation. The cost thereof shall be assessed against such real property and shall constitute a lien against such property, to be collected by the Village Treasurer in the manner provided by law for the collection of delinquent taxes. Such costs shall be in addition to any penalty assessed under § 252-7.

B. Drainage and Water Flow

Surface and Subsurface Water:

Surface and subsurface water shall be drained to prevent damage to buildings and structures and to prevent the development of stagnant water. Gutters, culverts, catch basins, drain inlets, stormwater sewers, and sanitary sewers or other satisfactory drainage systems shall be provided and utilized. Water from any rain

leader, drain, sump pump, or similar devices shall not flow over the sidewalk, street, right-of-way, or adjoining property unless permitted as part of an approved site plan.

C. Fences and Retaining Walls

Maintenance:

Fences and retaining walls shall be maintained in good repair and condition.

D. Commercial and Multifamily Premises

Paved Areas Maintenance:

In the case of commercial and multifamily premises, steps, walks, driveways, parking spaces, and similar paved areas shall be maintained to afford safe passage under normal use and weather conditions. Within 12 hours (24 hours for multifamily premises) after the cessation of snowfall, snow shall be plowed or shoveled from all steps, walks, driveways, and parking areas up to the curb.

Snow Removal:

No snow removed from driveways, walks, or other areas shall be deposited upon the public streets or highways.

Parking Areas:

On commercial premises, all parking areas shall be paved with concrete or asphalt, and all parking spaces shall be clearly marked with painted white or yellow lines, except that all parking spaces for individuals with disabilities shall be clearly marked with painted blue lines. Driveways and parking spaces provided on multifamily and commercial premises shall be kept in good repair and regularly cleaned.

E. Property Cleanliness

Exterior Premises:

The owner, superintendent, lessee, occupant, tenant, or other person exercising supervision or control of any residential or commercial premises shall keep all and every part of the exterior premises, including steps, walks, driveways, and parking areas, in a clean, sanitary, and safe condition, free from litter, debris, paper, dirt, garbage, and junk, and in good repair.

F. Vegetation Control

Hazardous Trees and Plant Growth:

Dead or incurably diseased trees which present a safety or health hazard shall be removed. Trees shall be kept pruned if they present a safety and health hazard.

Invasive Growth Control:

Property owners are not allowed to actively introduce invasive species, as defined by the Department of Environmental Conservation, into their property. Existing growth of invasive species such as *Reynoutria japonica* (Japanese knotweed), *Artemisia vulgaris* (mugwort), *Phyllostachys aurea* (Golden Bamboo), and *Phyllostachys aureosulcata* (Yellow Groove Bamboo) are not allowed to encroach upon neighboring properties. If growth is detected of any of these four species, the owner of the property from which the growth originated is responsible for ensuring its removal from any affected neighboring properties.

G. Vacant Buildings and Storefronts

Building Security and Cleanliness:

All buildings or structures in the Village of Ardsley which are vacant shall be maintained to prevent ingress or egress. All doors, windows, and other means of ingress or egress shall be kept locked or secured. All garbage, debris, and other combustible or flammable material shall be removed from the premises.

Visible Storefronts:

Where a vacant or occupied building includes a vacant storefront visible from the street or adjacent sidewalk, the owner shall remove all debris, trash, garbage, and other visible material. No temporary window coverings such as newspapers shall be used unless approved by the Building Inspector.

H. Graffiti Removal

Owner Responsibility:

The owner of a building or structure defaced with graffiti shall be responsible for cleaning and removing the defacement. If not removed within 14 days, the Village of Ardsley will remove it and bill the property owner for the incurred costs, which shall be a lien against the premises and assessed on the Village tax roll.

This revised ordinance includes the regulation on invasive growth and mandates its control and removal while allowing for environmentally beneficial natural landscapes.