

# Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, 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~~

Town

~~Village~~

of CUYLER

Local Law No. 1 of the year 1992.

A local law Unregistered/Unlicensed Motor Vehicle Regulations  
(Insert Title)  
for the Town of Cuyler

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

~~County~~

~~City~~

Town

~~Village~~

of Cuyler as follows:

## Article I

### GENERAL PROVISIONS

#### Section 100 TITLE

The title of this ordinance is "Unregistered/Unlicensed Motor Vehicle Regulations for the Town of Cuyler" and shall include these restrictions, procedures and penalties.

#### Section 101 PURPOSE

For the purpose of promoting the health and general welfare of the community, enhance the general appearance and increase the beauty of the natural surroundings, the disposition and location of unregistered/unlicensed motor vehicles is hereby regulated.

The Town Board of the Town of Cuyler in the County of Cortland, under authority of the Town Law of the State of New York, hereby enacts and publishes the following:

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

Section 102

LEGISLATIVE INTENT

It is the intent of this ordinance to provide a clean, wholesome, attractive environment for town residents. This environment is also essential to the continued development of the economy of the town, and the general welfare of its citizens. The indiscriminate outdoor storage of unregistered and unlicensed motor vehicles has a detrimental effect upon the appearance of the town and constitutes a safety hazard for children, and therefore necessitates the regulation of storage, parking and placing of unregistered/unlicensed motor vehicles.

Article II

DEFINITIONS

Section 200

DEFINITIONS

COMMERCIAL GARAGE:

Any licensed New York State business repairing or selling motor vehicles where wrecked or disabled motor vehicles are stored for inspection, repair, dismantle, disposal or sale.

JUNKYARD:

Any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated or used for storage, keeping, processing, buying or selling junk or as a scrap metal processing facility, where two (2) or more unregistered, old or second hand motor vehicles, no longer intended or in condition for legal use on the public highways, are held.

JUNK VEHICLES:

Any discarded, dismantled, wrecked, scrapped, ruined motor vehicle which is not licensed, registered and inspected by the State of New York and is not intended or in a condition for legal use on public highways.

**MOTOR VEHICLES:**

Any vehicle originally intended to be operated or driven upon a public highway, propelled by any power other than muscular power, whether or not such vehicle has an engine or is operable.

**PERSON:**

Any individual, partnerships, corporations, unincorporated associations or any other organization of two or more persons.

**STORAGE:**

**ENCLOSED STORAGE:** Enclosed storage means in a completely enclosed structure or in an area completely surrounded by a solid fence.

**OPEN STORAGE:** Open storage means storage other than in a completely enclosed structure such as a garage, shed, barn or solid fence.

**STRUCTURE:**

Anything constructed or erected within a fixed location on the ground or attached to something having a fixed location on the ground.

**Article III**

**RESTRICTIONS AND PROCEDURES**

**Section 300 RESTRICTIONS**

Open storage of more than two (2) unregistered/unlicensed motor vehicles or parts thereof per tax map number is not permitted on private or public property within the Town of Cuyler.

Section 301

STORAGE REQUIREMENTS

Every unregistered/unlicensed motor vehicle, other than the ones allotted each tax map number, must be stored in a completely enclosed structure or within an area completely surrounded by a solid fence or opaque screen. If a fence or screen is used, it shall be the greater of six (6) feet in height, as measured from the ground level or twelve (12) inches above the highest portion of any vehicle which is placed within it. Each fence enclosure shall be constructed of one type of material, maintained neatly and in good repair and set back beyond the road right of way. Multicolored fences will not be permitted. Motor vehicles cannot be stored in an area susceptible to flooding, or in any area designated as a flood plain.

Section 302

PROCEDURES

The Town of Cuyler, through its code enforcement officer, agency or County Sheriff, will notify by registered or certified mail the owner of the unregistered/unlicensed motor vehicle or the owner or tenant of the property on which the unregistered/unlicensed motor vehicle is openly stored. Such notice will direct the person so served (regardless of the ownership of the motor vehicle if the property owner or tenant is served) to terminate the open storage of the motor vehicle within thirty (30) days of personal service of the notice or within thirty (30) days from date of posting by registered or certified mail. The notice shall state that if the person served contends that the motor vehicle is not an unregistered/unlicensed motor vehicle, said person must notify the code enforcement officer/agency within eight (8) days.

Article IV

PENALTIES AND ENFORCEMENT

Section 400

PENALTIES FOR OFFENSES

Any violation of this ordinance shall be considered a violation and, upon conviction, shall be punishable by a fine not less than Ten Dollars (\$10.00) or more than One Hundred Dollars (\$100.00) per violation, or by imprisonment for a term of not more than fifteen (15) days, or both. Each week a person is in violation of this ordinance shall be considered a separate violation.

Section 401

ENFORCEMENT

The Cuyler Town Board may employ a code enforcement agency or officer for the purposes of enforcement of this ordinance and the code enforcement agency/officer shall have the authority to issue appearance tickets.

Article V

EXEMPT MOTOR VEHICLES

Section 500

There shall be exempt from the terms and provisions of this ordinance the following:

1. Motor vehicles used actively and exclusively for agricultural purposes.

(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. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. 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 \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, 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.)

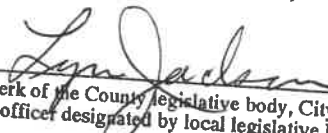
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_, 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 19\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, 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 \_\_\_\_\_, above.

  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body


Date: Oct. 6, 1992

(Seal)

(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 ONONDAGA

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.

  
Signature Charles E. Shafer  
Title Town Attorney

~~County~~  
~~City~~ of Cuyler  
~~Village~~

Date: 10/6/92