
Town of Morristown

Local Law 1 of the Year 2024

A Local Law to Amend the Town of Morristown Local Law #3 of the Year 2018 Regulating Junk Storage for the purpose of adding provisions authorizing removal of junk by the Town and for reimbursement of costs as a lien on real property.

Be in enacted by the Town Board of the Town of Morristown (the "Town Board") as follows:

Title.

This local law shall be known as Amendment of the Town of Morristown Local Law #3 of the Year 2018 Regulating Junk Storage for the purpose of adding provisions authorizing removal of junk by the Town and for reimbursement of costs as a lien on real property.

Purpose and Intent.

The purpose of this local law is to amend the current Town of Morristown Junk Law to expand the remedies available to the Town against violations of the Local Junk Law. The Town Board has determined that, in order to preserve and promote a clean and attractive municipal environment and to preserve the character of the community and protect residential property values, it is necessary to enact this local law authorizing junk removal by the Town.

Authority.

This local law is adopted pursuant to New York Town Law and New York Municipal Home Rule Law.

Effective Date.

This local law shall take effect on 4/24/2024, consistent with filing with the Secretary of State.

SEQRA Determination.

The Town Board hereby determines that the adoption of this local law is an unlisted action that will not have the potential for at least one significant adverse environmental impact and that no Environmental Impact Statement will be prepared, and no other determination or procedure is required under the NYS Environmental Quality Review Act (SEQRA).

Severability.

If any provision of this local law is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this local law shall remain in effect.

The Town of Morristown Local Law #3 Regulating Junk Storage, filed May 3, 2018, is hereby amended as follows:

ARTICLE E: Administration and Enforcement Section 4

Failure to comply; work done by Town; costs.

Whenever a notice or notices referred to in Section 3 of Article E hereof has been or have been served upon such owner or owners and/or occupants of the respective lots or parcels of land to remove Junk in accordance with this law and such owner or owners and/or occupants shall neglect or fail to comply with the requirements of such notice or notices within the time provided therein, the Town Board or Code Enforcement Officer shall authorize the work to be done. The cost thereof shall be paid out of the general Town funds to be appropriated by the Town Board for such purposes. The Town Board or Code Enforcement Officer may issue an appearance ticket subscribed by him or her, directing the owner or owners and/or occupants to appear in a designated local criminal court at a designated future time in connection with this alleged commission of a designated offense of this chapter.

Reimbursement for costs; costs to constitute lien.

Should the Town Board or Code Enforcement Officer authorize the work to be done, then the Town department authorizing the work shall be reimbursed for the cost, including out-of-pocket administrative expense of the work performed or services rendered by direction of the Town Board or Code Enforcement Officer, as hereinabove provided, by assessment and levy upon the lots or parcels of land wherein such work was performed or such services rendered, and the expenses so assessed shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

Enforcement.

Violations of this local law may be enforced in any court of competent jurisdiction including the Supreme Court of the State of New York for legal as well as equitable/injunctive relief.