

RESOLUTION No. 2020-

**RELATIVE TO AMENDING CHAPTER 738 OF THE CODIFIED ORDINANCES
ENTITLED "CLEAN NEIGHBORHOOD ORDINANCES"**

BY:

Council Chairman Christopher Voccio
Council Member William Kennedy II
Council Member John Spanbauer
Council Member Kenny Tompkins
Council Member Andrew Touma

BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that Chapter 738 of the Codified Ordinances entitled "Clean Neighborhood Ordinances" is hereby amended to read as follows:

...

738.01 PURPOSE.

The accumulation of debris, garbage, junk, rubbish, **{and}** weeds, **dead, dying and overgrown shrubbery and/or trees** and the open storage of junked or abandoned vehicles within the City limits create conditions which contribute to fires and the spread of disease. Such conditions provide places for rodents and other noxious pests to reside and breed. Junk and junked vehicles constitute dangerous nuisances which may imperil the safety of children and other citizens. Such conditions also contribute to the spread of blight and the deterioration of living conditions wherever they occur. The purpose of this Chapter is to prohibit the accumulation of debris, garbage, junk, rubbish and weeds and the open storage of junked or abandoned vehicles in order to provide for the protection, health, safety and well-being of all residents of and visitors to the City.

...

738.02 DEFINITIONS.

...

(h) **Shrubbery is defined as living plant materials, including but not limited to shrubs, bushes, undergrowth, plants and vegetation which are encroaching upon the City right of way.**

(i) Trees are defined as living plant materials, which are dead, dying and/or hazardous, and are encroaching upon the City right of way.

(j) Weeds. Weeds shall mean any overgrown plant matter, including, but not limited to, grass, thistles, milkweed, ragweed or poison ivy, which, because of its unkempt state, creates a fire, health or safety hazard or creates an unsightly condition.

...

Kennedy _____ Spanbauer _____ Tompkins _____ Touma _____ Voccio _____

738.03 DUTY OF OWNERS AND OCCUPANTS.

It is the duty of every owner and occupant of real property located within the City limits to keep the exterior of the property so owned or occupied free from all weeds, rubbish, junk, junked vehicles, garbage and debris, **as well as shrubbery and trees which encroach upon the City right-of-way**. This shall include the area between the curbstone and sidewalk of such property.

...

Bold and **Underline** Indicate **Additions**
Bold and **Brackets** Indicate **[Deletions]**