

**TOWN OF HOMER
LOCAL LAW NO. 3 OF 2026**

**A LOCAL LAW REGULATING THE CONTROL OF GRASS, WEEDS, AND OTHER
OVERGROWN VEGETATION**

Section 1. Title

This Local Law shall be known as the Town of Homer Grass, Weed and Property Maintenance Law.

Section 2. Legislative Findings and Purpose

The Town Board finds that uncontrolled grass, weeds, brush, and other uncultivated vegetation on developed residential and commercial properties can:

- Create fire hazards
- Harbor rodents, ticks, mosquitoes, and other pests
- Reduce neighborhood property values
- Endanger public health and safety
- Create unsafe sight distances along highways and intersections
- Become a public nuisance.

The Town further recognizes the agricultural heritage of the Town of Homer and the protections afforded to farming operations under Article 25-AA of the New York State Agriculture and Markets Law. Accordingly, the purpose of this Local Law is to establish reasonable property maintenance standards while protecting legitimate agricultural activities.

Section 3. Applicability

This Local Law applies to all improved residential, commercial, industrial, and vacant parcels located within the Town of Homer outside the Village of Homer unless otherwise exempted herein.

Section 4. Exemptions

This Local Law shall not apply to:

1. Bona fide agricultural operations protected under New York State Agriculture and Markets Law.
2. Land enrolled in agricultural assessment.
3. State, County, and Town highway rights-of-way.
4. Designated wetlands.
5. Approved native vegetation areas.
6. Stormwater management facilities.
7. Conservation easements.
8. Woodlands and forested areas.

Section 5. Definitions

Grass and Weeds. Any grass, weeds, brush, or uncultivated vegetation other than trees, shrubs, cultivated gardens, , or agricultural crops.

Owner. Any person, partnership, corporation, trust, estate, or other legal entity holding title to real property.

Occupant. Any individual occupying or controlling property.

Property. Any lot, parcel, tract, or premises subject to this Local Law.

Section 6. Property Maintenance Standards

Owners shall maintain grass and weeds so that vegetation does not exceed eight (8) inches in height.

This section shall not prohibit:

- Flower gardens
- Vegetable gardens
- Ornamental landscaping
- Native plant gardens
- Pollinator gardens
- Agricultural crops
- Managed natural areas approved by the Town

Section 7. Notice of Violation

When the Code Enforcement Officer determines that a violation exists, written notice shall be provided to the property owner by:

- Certified Mail;
- First Class Mail;
- Personal Service; or
- Posting on the property when the owner cannot reasonably be located.

The notice shall include:

- Property address
- Description of violation
- Required corrective action
- Time allowed for compliance

The owner shall have ten (10) calendar days to correct the violation.

Section 8. Emergency Conditions

creates an immediate threat to public safety, blocks visibility at intersections, obstructs sidewalks, or creates a fire hazard, the Town Board may authorize immediate corrective action without waiting the full ten-day compliance period.

Section 9. Town Abatement

Upon failure to comply, the Town Board may authorize the Highway Superintendent or a qualified contractor to enter the property solely for the purpose of mowing or removing. The Town shall incur no responsibility for damage to vegetation or landscaping reasonably resulting from such work.

Section 10. Assessment of Costs

The property owner shall reimburse the Town for:

- Labor
- Equipment
- Fuel
- Disposal
- Administrative expenses
- Contractor charges

Payment shall be due within thirty (30) days. Unpaid charges shall become a lien upon the property and shall be added to the next Town tax bill pursuant to applicable provisions of New York Town Law.

Section 11. Civil Penalties

In addition to reimbursement of cleanup costs:

First Violation

Fine not exceeding \$50.00

Second Violation

Fine of \$50 to \$150

Third Violation

Fine of \$150 to \$250

Fourth and Subsequent Violations

Fine of \$250 to \$500

Each week a violation continues after notice shall constitute a separate offense.

Section 12. Enforcement

This Local Law shall be enforced by:

- Town Code Enforcement Officer
- Town Highway Superintendent (upon authorization)

Section 13. Appeals

Any person receiving a Notice of Violation may submit a written appeal to the Town Board within ten (10) days. The filing of an appeal shall stay enforcement until the Town Board renders its determination unless an emergency condition exists.

Section 14. Severability

If any section of this Local Law is held invalid by a court of competent jurisdiction, such determination shall not affect the remaining provisions.

Section 15. Supersession

This Local Law supersedes any inconsistent provisions of the Town Code to the extent permitted by the Municipal Home Rule Law.

Section 16. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.