

DRAFT CODE UPDATES FOR PROPERTY MAINTENANCE

TOWN OF WEBSTER



Department of Community Development
April 3, 2025

SCHEDULE TO APPROVAL:

Mtg #1 - April 3, 2025

Initial presentation to Town Board identifying deficiencies of existing code and review of proposed amendments



Mtg. #2 May 1, 2025

Public Hearing on proposed code amendments



Mtg. #3 May 2025

Vote on proposed code amendments

Tonight's Presentation Will Highlight:

- Proposed Articles & Subsections:
 - Code Enforcement Procedures (New)
 - Vehicle Storage (Ch. 324)
 - On-street parking restriction (Ch. 320-22)
 - Portable storage containers/ roll off dumpster (Ch. 350-48)
 - Vacant Properties (Ch. 243)

CODE ENFORCEMENT PROCEDURES (NEW CHAPTER)

CURRENT PROCESS (TO BE CODIFIED):

- Complaint received by Town Staff (online form, e-mail, staff observation, etc.)
 - Site Inspection conducted to confirm if reported violation exists
 - If a violation is confirmed, the code enforcement procedure begins
 - New Code Enforcement procedure is comprised of 4 steps:
 - Violation Letter (initial correspondence alerting property owner to a violation)
 - Notice and Order (Order to remedy violation by a particular date with reasonable time given)
 - Appearance Ticket (issued in cases of non-compliance by the property owner)
 - Court Hearing (matter is heard before a judge)

SAMPLE ENFORCEMENT PROCEDURES

STEP 1: VIOLATION LETTER

Contents of Violation Letter

- Owners address
- Case number
- Relevant Code Section
- Description of violation and corrective action

Town of Webster ***Where Life Is Worth Living!***

Code Enforcement
(585) 872-7035

1000 Ridge Road
Webster, NY 14580



Tom Flaherty, Town Supervisor

1/16/2025 3:30:58 PM

Webster, NY 14580

As the owner of record according to the Monroe County Clerk's office, you are receiving this notice to make you aware that conditions observed on the property are in violation of Town Code. Town Code is in place to ensure that neighborhood and businesses throughout Webster are pleasant, attractive and safe places to live and visit.

Address where violation is: Webster, NY 14580

Due to the Town receiving multiple inquires about potential violation(s) on the property, the Town of Webster Code Compliance officer, Community Development Department inspected as noted below:

Property Tax No.0

Initial Inspection Dates:

1/15/2025

Violation(s) Found:

Code Section	Corrective action
Town of Webster Code\PART II, GENERAL LEGISLATION Chapter 324 Vehicles, Junked and Abandoned\324-3 Outdoor Storage	Unregistered vehicles must either be registered or removed from the property.

Please be aware, future inspections may result in additional violations being observed.

Please contact me at (585) 872-7035 or via email at jsantiago@ci.webster.ny.us within seven days of the date of this letter to discuss your plan of action to address identified violations. Our offices are open on weekdays, 8:30 a.m. to 4:30 p.m.

Thank you for your anticipated cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Justo Santiago".

Justo Santiago
Code Compliance, Town of Webster

SAMPLE ENFORCEMENT PROCEDURES

STEP 2: NOTICE AND ORDER PAGE

Notice and Order

- Owners address
- Case number
- Relevant Code section
- Violation description
- Reasonable time period for compliance
- Potential fines and penalties for non-compliance

Town of Webster

Where Life Is Worth Living!

Department of Community Development
Code Enforcement Officer



Tom Flaherty, Town Supervisor

Notice and Order

(Notice of Violation and Order to Remedy)

Webster Town Code CH. 119-34B/ 243-14C/ 265-16/ 324-7/ 350-106A(1)

Webster, NY 14580

03/03/202
Case Number

Violation(s) of the Property Maintenance Code of New York State and/or the Town or Village of Webster Code as identified below are found to exist at , Webster, NY 14580.

Violation date	Correct by Date	Code	Violation Description	Violation(s)	Penalty
01/16/2025	03/18/2025	324-3 Outdoor Storage	It shall be unlawful for any person, firm or corporation, either as owner, occupant, lessee, agent, tenant or otherwise, of property within the Town of Webster to engage in or to assist or participate in automobile wrecking or to store or deposit or cause or permit to be stored or deposited a junked motor vehicle or part or piece thereof on any private property within the Town of Webster, unless: A. Such motor vehicle is stored or deposited on a premises legally used, operated and located for a junkyard. B. Such motor vehicle is stored or deposited in a completely enclosed building. C. Such motor vehicle is under repair, reconstruction or refurbishing by the owners thereof who must actually be residing upon the premises. Not more than one such motor vehicle shall be permitted at any one time on any premises. Such motor vehicle must be so maintained and protected as to not create any safety hazard or nuisance to surrounding property owners and shall not remain on the premises more than three months. D. Such motor vehicle is temporarily stored on the premises of a duly authorized motor vehicle service station or body-repair shop within a commercial or industrial district of the town while awaiting repair or servicing at such place of business. Not more than five such vehicles shall be permitted on any such premises at any one time.	Unregistered vehicles must either be registered or removed from the property.	****

E. Such motor vehicle is temporarily stored on the premises of an actively cultivated farm and used in connection with farm work. Such motor vehicle must be so maintained and protected as to not create any safety hazard or nuisance to surrounding property owners and shall not remain inactive more than nine months.

YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and to remedy the condition(s) above mentioned by the listed "Correct by Date". A reinspection is scheduled to take place no later than the "Correct by Date" listed above next to each violation. During the reinspection, the Town may identify further code violations.

FAILURE TO REMEDY the conditions aforesaid and to comply with the applicable provisions of law will constitute an offense punishable by fine or imprisonment or both.

Your response, within seven days of the date of this letter, is required to discuss your plan of action to address the noted violation(s). Please contact me via phone, (585) 872-7035 or email at jsantiago@ci.webster.ny.us during business hours (Monday- Friday, 8:30 a.m. to 4:30 p.m.)

Thank you for your anticipated cooperation in this matter.

Justo Santiago
Code Compliance Coordinator

*Ch 119-34B- Shall be punishable by a fine of not more than \$500 or 30 days in jail, or both. Each day that a violation continues shall be deemed a separate offense.

**Ch 243-14C- Shall be liable to a civil penalty of not more than \$1,000 for each day or part thereof during which such violation continues

***Ch 265-16- Failure to comply with any of the provisions of this chapter shall be deemed a violation, and the violator shall be liable to a fine of not more than \$1,000, and each day such violation continues shall constitute a separate violation.

****Ch 324-7- A violation of this chapter shall also subject the violator to a civil penalty of the greater of \$100 per separate violation, or the town's cost of inspection, service of notices, removal, towing and permanently disposing of such vehicles, less any penal monetary fine which may have been imposed.

*****Ch 350-106A(1)- Shall be punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, upon conviction for a first offense; upon conviction for a second offense, both of which offenses were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both;

SAMPLE ENFORCEMENT PROCEDURES

STEP 3: APPEARANCE TICKET

Appearance Ticket

- Owners address
- Violation code section
- Date and time for Court Hearing



Town of Webster

Code Enforcement

1000 RIDGE ROAD - WEBSTER, NEW YORK 14580

Tom Flaherty - Supervisor

Appearance Ticket

Date: 01/22/2025

Defendant:

Address:

City: WEBSTER State: NY Zip: 14580

You are hereby directed to appear before Presiding Justice DiSalvo

at Webster Town Court, 1000 Ridge Road, Webster, NY 14580 on February 14th 2025 at 9:00 a.m.

Defendant accused of the offence / violation of:

Number	Violation date	Code Section	Code	Violation(s)
002734	07/29/2024	Town of Webster Code (PART II, GENERAL LEGISLATION)Chapter 350 ZoningArticle V Supplementary Regulations for all residential districts and uses(§ 350-37 (A) Home Occupation	§ 350-37 (A) Home Occupation	The property is operating an excavation and construction business in a Single Family Residential R-3 without the required Town Approval. Special Use Permit was revoked by the Town of Webster, Zoning Board on 05/14/2024.
002876	12/05/2024	Town of Webster Code (PART II, GENERAL LEGISLATION)Chapter 350 ZoningArticle V Supplementary Regulations for all residential districts and uses(§ 350-45 Outside Parking of Recreational Vehicles	§ 350-45 Outside Parking of Recreational Vehicles	Property has an enclosed trailer, snowmobile trailer and a recreational vehicle stored in the rear yard only one is permitted
002877	12/05/2024	Town of Webster Code (PART II, GENERAL LEGISLATION)Chapter 350 ZoningArticle V Supplementary Regulations for all residential districts and uses(§ 350-44 (B) Outside parking of commercial or construction vehicles	§ 350-44 (B) Outside parking of commercial or construction vehicles	Commercial vehicles, including a bobcat, mini excavator, and dump truck, are stored in the rear yard.

Committed on at
of New York.

in the Town of Webster, County of Monroe, and State

NOTE:

1. YOUR FAILURE TO APPEAR MAY RESULT IN A WARRANT FOR YOUR ARREST.
2. A PLEA OF GUILTY TO THIS CHARGE IS EQUIVALENT TO A CONVICTION AFTER TRIAL


Justo Santiago
Code Compliance Coordinator

Vehicle Storage

- Abandoned, uninspected, unlicensed, inoperative, discarded or junk vehicles
- Outside storage of recreational vehicles
- Outside storage or parking of commercial, construction vehicles or cargo trucks
- Outside parking or storage of licensed vehicles
- Storage on vacant property



On-street parking restriction

- No person shall park a motor vehicle within a cul-de-sac, unless said vehicle is parallel to and immediately adjacent to the gutter.



PORTABLE STORAGE CONTAINERS (PSC)/ ROLL OFF DUMPSTERS

- Addition of roll-off dumpsters to the existing PSC ordinance
- Regulates the total number of days on property, location, etc.
- Permit will continue to be required.

VACANT PROPERTIES (NEW SUBSECTION):

- Definition of Vacant Properties
- Securing and routine monitoring of Vacant Structure(s)
- Vacant property maintenance:
 - Removal of Combustible Waste / Materials
 - Heavy Undergrowth
 - Abandoned or unlicensed vehicles
 - Exemptions:
 - Vacant lots in undeveloped areas
 - Agricultural lands



NEXT STEPS

- Awaiting Legal Review / Feedback
- TB Resolution to set a public hearing
- Hold Public Hearing
- Make Final Edits
- Adopt into Town Code
- **Continue to aid staff in addressing resident concerns**





QUESTIONS/ COMMENTS?