

*Village of Penn Yan*

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Mayor Danny Condella  
Trustee Kevin McCloud  
Trustee Daniel Henries, Jr.  
Trustee Teresa Hoban  
Trustee Daniel Irwin  
Trustee Norman Koek  
Trustee Brenda Travis  
Clerk-Treasurer Holly Easling



*on Keuka Lake*

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## ***NOTICE OF ADOPTION***

### **VILLAGE OF PENN YAN**

Local Law To Amend Chapter 186 “Vehicles, Abandoned” of the Code of the Village of Penn Yan

Notice is hereby given that at a meeting of the Board of Trustees of the Village of Penn Yan, County of Yates, State of New York, which was held on the 19th day of November, 2024, the above referenced proposed Local Law was adopted.

The purpose of this Local Law is to amend Chapter 186, “Vehicles, Abandoned”, of the Village Code by adding definitions to expand the range of vehicles to which this Local Law is applicable. Accordingly, the provisions of that Chapter are amended. A copy of the Local Law is available at the Office of the Clerk of the Village of Penn Yan, 111 Elm Street, Penn Yan, NY 14527 during regular business hours or on the Village website [www.villageofpennyan.com](http://www.villageofpennyan.com).

Holly Easling, Clerk/Treasurer  
Village of Penn Yan

# *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.

VILLAGE OF PENN YAN

LOCAL LAW 10 OF THE YEAR 2024 amending Chapter 186 “Vehicles, Abandoned” of the Code of the Village of Penn Yan.

Be it enacted by the Board of Trustees of the Village of Penn Yan, in the County of Yates, as follows:

### Section 1: Short Title.

This Local Law shall hereafter be known as the “Amendment Local Law of Chapter 186. “Vehicles, Abandoned” of the Code of the Village of Penn Yan of 2024”.

### Section 2: Legislative Intent and Findings.

The purpose of this Local Law is to amend Chapter 186 “Vehicles, Abandoned” of the Village Code. It is determined by the Board of Trustees that the provisions of this Chapter are in need of amendment based upon the findings of the Board of Trustees. Additionally, the purpose of the Local Law is to create a property maintenance regulation.

It is determined that the presence in the Village of abandoned, junk, discarded, inoperable, no longer in condition for legal use on public highways or unregistered motor vehicles, semi-trailers, trailers or other vehicles creates a potential health hazard and/or nuisance to the public and properties of the Village. The presence thereof has the likelihood to:

- A. Contain fluids and/or other materials which are deleterious to human health and/or the environment;
- B. Have a negative impact on property values;
- C. Create visual nuisance in Village neighborhoods;
- D. Create hazards to persons and property if located in an area subject to flooding.

### Section 3: Legislative Authority.

This Local Law is enacted pursuant to the provisions of the Municipal Home Rule Law (MHRL) of the State of New York.

### Section 4: Provisions.

The provisions of Chapter 186 “Vehicles, Abandoned” of the Code of the Village of Penn Yan are hereby amended to provide as follows:

**Section 186-1. “Outdoor Storage of Certain Vehicles.”**

Notwithstanding any contrary provisions of the Code of the Village of Penn Yan, including the Zoning Chapter hereof, it shall be unlawful for any person, corporation or other entity, either as owner, tenant, lessee, agent, employee, occupant or inhabitant of a lot or parcel of real property, to store, place, park, deposit, keep or otherwise allow to remain, or cause or allow same to occur, any abandoned, junk, discarded, inoperable, no longer in a condition for legal use on public highways or unregistered vehicle upon any such lot or parcel of real property in the Village of Penn Yan for any period exceeding ninety (90) days. It shall further be unlawful for an accumulation of parts or other waste material from vehicles, which taken together, equal in bulk, one or more vehicles, on any lot or parcel of real property in the Village of Penn Yan.

**Section 186-1.1. “Definitions”**

Vehicle – for the purposes of this Chapter the term “vehicle” shall include “motor vehicle”, “semi-trailer”, “trailer” and “vehicle” as those terms are defined in Article 1, “Words and Phrases Defined” of Title I of the Vehicle and Traffic Law of the State of New York, Sections 125, 143, 156 and 159 respectively.

**Section 186-2. “Enforcement.”**

- A. The provisions hereof are enforceable by the Code Enforcement Officer of the Village of Penn Yan, any deputy thereof, other acting code enforcement officer or any police officer having jurisdiction in the Village of Penn Yan.
- B. Each day that a violation of this Chapter exists shall be a separate prosecutable offense.

**Section 186-3. “Penalties”**

- A. Any person convicted of a violation of this Chapter shall be punishable by a fine of not less than \$25.00 and not more than \$250.00 and /or incarceration for not more than fifteen (15) days, for each such conviction.
- B. As an alternative to or in addition to a fine and/or incarceration, as provided in subsection “A” hereof, the person convicted of violating this Chapter may be sentenced to community service. Such a community service sentence would be imposed as a definite term of hours of work to be served under the direction of the Department of Public Works of the Village of Penn Yan, and be pursuant to an Order of Conditional Discharge issued by the Court.

**Section 5. Severability.**

In the event that a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**Section 6: Superseding Provision.**

Pursuant to Section 22 of the Municipal Home Rule Law of the State of New York this Local Law shall supersede any provision of the Laws of the State of New York or the Code of the Village of Penn Yan, General Municipal Law, or any other law or regulation to the extent inconsistent with the same and to the extent permitted by the New York State Constitution or United States Constitution.

**Section 7: Effective Date.**

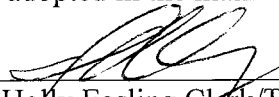
This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Board of Trustees of the Village of Penn Yan.

*(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. 10 of the year 2024, was duly passed by the Board of Trustees of the Village of Penn Yan on November 19, 2024, in accordance with the applicable provisions of law.

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 1 above.

  
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Holly Easling Clerk/Treasurer  
Village of Penn Yan

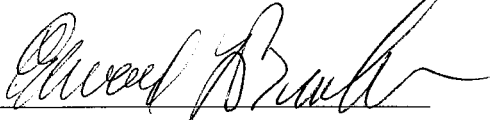
(SEAL)

Date: November 25, 2024

*(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality)*

STATE OF NEW YORK     )  
COUNTY YATES     ) ss:

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.

A handwritten signature in cursive script, appearing to read "Edward Brockman", written over a horizontal line.

Edward J. Brockman, Village Attorney  
Village of Penn Yan  
Date: November 25, 2024