

CHAPTER 31

OFFENSES AGAINST PROPERTY

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SECTION 31-1. MUNICIPAL DECORATIONS

It shall be unlawful to willfully destroy, mutilate or otherwise injure, deface, alter or remove any flag, bunting, paraphernalia, holiday or other decoration or other property, either public or private, used for decorative purposes upon the streets or public buildings or public structures, or immediately adjacent thereto, or any socket, pole, wire, rope or other property or device whatsoever used in connection with holiday decorations, the regulations of street parades, or otherwise, or to remove the same without the permission of the Village Board, Village Clerk or Superintendent of the department controlling such property.

SECTION 31-2. GRADING STAKES, MONUMENTS AND BARRICADES

It shall be unlawful to remove, break, or in any way injure any grade stake, stone or other mark or monument set by order or under the authority of the superintendent of Public Works or his agents or assistants in the employ of the Village to designate grades, corners, lines or bench marks, in any manner to erase or deface or change any letters, figures, or marks thereon, or willfully to remove, injure, alter or interfere with any barricade about any improvements in the course of construction.

SECTION 31-3. PUBLIC NOTICES

It shall be unlawful to willfully deface, cover over, tear down, change or destroy any advertisement, notice or ordinance posted by order of the Board of Trustees or any official of the Village.

SECTION 31-4.1. FIRES ON PAVEMENTS

It shall be unlawful to build or cause to be built any fire, or burn or cause to be burned any rubbish, leaves or material of any kind upon any street, or upon any driveway between the street and sidewalk.

SECTION 31-4.2. FIRES

It shall be unlawful to build, or cause to be built, any fire; or to burn or cause to be burned, any rubbish, waste products, or material of any kind in the Village of Arcade with the following exceptions:

- A. The burning of wood or coal within buildings in a heating or cooking device that has been inspected and approved in accordance with all applicable fire and safety standards, including but not limited to, the New York State Uniform Fire Prevention and Building Code;
- B. The burning of material in existing incinerators located on commercial and or industrial properties in accordance with Section 806 of the Village Zoning Laws;
- C. The burning of wood when used for recreational fires and when attended by a responsible person(s), providing such fires do not cause public alarm or disorder;
- D. Other controlled burns when special permission has been granted (on a per diem basis) by the Superintendent of Public Works. This may require notification of other governmental agencies, including, but not limited to the New York State Department of Environmental Conservation and the Arcade Fire Department.

SECTION 31-5. HOSE AND APPARATUS OF FIRE DEPARTMENT

It shall be unlawful to willfully injure, remove, molest, deface or interfere in any manner with any hose, apparatus, fire alarm system or equipment or any fire or other Department whatsoever, or to use such hose, apparatus or other paraphernalia of such Fire Department without authority to do so.

SECTION 31-6. APPARAATUS OF POLICE DEPARTMENT

It shall be unlawful to willfully injure, remove, molest, deface or interfere in any manner with any apparatus used by the Police Department, or without authority to do so, to use any such apparatus.

SECTION 31-7. CATCH BASINS< MANHOLE COVERS AND SEWERS

It shall be unlawful to willfully break, injure or remove any portion of any catch basin, manhole cover, water, sewer or steam line or any appurtenances thereto, or to throw or deposit any injurious, obstructive or harmful material or substance therein.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

SECTION 31-8. ELECTRIC TRANSMISSION LINES< STREET LAMPS AND APPURTENANCES

It shall be unlawful to willfully tamper with, destroy, injure, deface or interfere in any manner with any electric transmission line, or any lamp or light used for lighting any street or public place, or to willfully injure, break or destroy any lamp post, pole, bracket or any machinery, fixtures, accessories or equipment connected directly or indirectly with any such transmission line, pole, lamp or light or to willfully cut, break, injure or remove any wire connected with any electric lamp or to place thereon or attach thereto any instrument or device whatsoever, or to make any connection or communication therewith so as to in any way interrupt or interfere with the proper use and working of such line or lamp.

SECTION 31-9. REMOVING EARTH FROM PUBLIC PLACES AND INJURING PAVEMENTS

It shall be unlawful without the written consent of the Village Superintendent to dig, remove or carry away or cause to be dug, removed or carried away any stone, sod, earth, sand or gravel from any street or public ground, without the consent of the owner, from any other premises, or willfully to remove, injure, deface or destroy the pavement or curbing of any street or public place or sidewalk thereof, or paved driveways therein.

SECTION 31-10. DEFACING BUILDINGS AND OTHER PROPERTY

It shall be unlawful to nail, stamp, paste or stick , or in any other manner to attach any sign, device, poster, handbill or placard of any description upon or to mark with ink, chalk, paint or other substance or to cut or hack or in any other manner willfully to deface, injure or destroy any wall, door, bridge, sidewalk, curb, public or private buildings, park structure, fence, tree, structure, traffic sign or signal, street sign, post, pole used for the purpose of carrying electrical or telephone conductors or other thing appurtenant thereto without the consent of the owner, occupant or person having custody or control thereof; except that this Section shall not apply to the posting of any notice which is required by law to be posted.

SECTION 31-11. DUMPING REFUSE

It shall be unlawful illegally to trespass upon, make use of or dump or deposit or cause to be dumped or deposited any dirt, garbage, refuse, tin cans or other material whatsoever on any property owned or leased by the village or private property without the consent of the owner or lessee thereof.

SECTION 31-12. DESTROYING PROPERTY GENERALLY

It shall be unlawful for any person willfully, maliciously or intentionally to injure, deface, mutilate or destroy or to assist in injuring, defacing, mutilating, or destroying property of another, either public or private; any monument or store sign or marks thereon; any awning, sign, railing, ornamental shade or fruit tree, tree shrub, flower box, gas or water mains, sewer lines, steam lines, or apparatus of any kind used in connection with any Village Department; nor shall any person take or meddle with any property belonging to the village or remove the same from the buildings or place where it may be kept standing or stored, without authority from the village official having the care and custody of such property.

SECTION 31-13. TRESPASSES ON VILLAGE PROPERTY

It shall be unlawful to trespass on any plot, parcel of land or other municipally owned property of the village when forbidden by signs placed by the village reading, in substance, "No trespassing, property of Village of Arcade".

SECTION 31-14. DEFINITIONS

The word "persons" as used in this ordinance shall include one or more persons of either sex, natural persons, corporations, partnerships, associations, joint stock companies, societies and all other entities of any kind capable of being sued.

SECTION 31-15. PENALTIES

Any person who , himself or by his clerk, agent or employee, shall violate any of the provisions of the Chapter, shall, upon conviction thereof, be punished by a fine of not less than \$5.00 nor more than \$100.00

Local Law 2-1968
Continuation – Minor Changes
Adopted: February 22, 1969
Posted: February 27, 1969
Published: February 28, 1969
Effective: March 10, 1969

Amended:
Local Law No. 2-1988
Adopted: October 19, 1988
Filed: October 25, 1988

Amended:
Local Law No. 5-1993
Adopted: July 20, 1993
Filed: August 6, 1993