

## Chapter 142, FIREWOOD

[HISTORY: Adopted by the Board of Trustees of the Village of Horseheads 1-23-1992 as L.L. No. 1-1992. Amendments noted where applicable.]

### GENERAL REFERENCES

**Brush, grass and weeds -- See Ch. 98.**

**Fire prevention -- See Ch. 102.**

**Property maintenance -- See Ch. 179.**

### § 142-1. Definitions and word usage.

A. Definitions. As used in this chapter, the following terms shall have the meanings indicated, except where the context clearly indicates a different meaning. A word or term not defined herein shall be used with a meaning of standard usage.

**DWELLING** -- A building designed to provide for the residence of one (1) or more family units.

**ERADICATION** -- The elimination of rodents, insects and other pests by means not harmful to the public health, safety and welfare.

**FIREWOOD** -- Wood or a like material commonly used for fuel or decorative burning in a fireplace, stove or other food-cooking device.

**FRONT LOT LINE** -- In the case of a lot, parcel or tract abutting upon only one (1) street, the line separating same from such street; in the case of a lot, parcel or tract that abut more than one (1) street, the owner of the same may elect any street line as the "front lot line."

**FRONT YARD** -- The space on a lot, parcel or tract not occupied by a building between the front lot line and the front line of the building closest to the street extended to the side lot lines of the lot, parcel or tract.

**HARBORAGE** -- Any condition which provides shelter or protection for rodents, insects and other pests.

**PERSON** -- The legal owner or beneficial owner of any parcel or tract of real property, whether improved with a residence or not, or who holds dominion and control over such property, whether such owner is an individual, firm, partnership, association, corporation or organization of any kind.

**PRIVATE PREMISES** -- Any lot, parcel, tract, dwelling, house, building or other structure designed or used, either wholly or in part, for residential, commercial or industrial purposes,

whether inhabited or uninhabited, vacant or occupied, including any lands adjacent thereto under common ownership.

**WOODPILE** -- A quantity of wood, usually but not necessarily in the form of logs, heaped together, placed or layed in a pile.

B. Word usage. When not inconsistent with the context, words in the present tense include the future tense; words in the singular shall include the plural; masculine shall include feminine and neuter; and the word "shall" is always mandatory and not directory.

### **§ 142-2. Storage requirements.**

In order to promote the health, safety, cleanliness, beauty, convenience, comfort and general welfare of the Village of Horseheads and the inhabitants of the same, any person wishing to store firewood upon his or her private premises shall store such firewood according to the following requirements:

- A. Said storage of firewood or woodpiles shall be kept stacked and reasonably secure and shall be stacked in a stabilized, structurally sound manner so as to not present a risk of harm that it will collapse or move suddenly or spontaneously.
- B. The maximum amount of firewood on site or a woodpile that may be stored at any one (1) time is seven (7) cords.
- C. The height of any such stored firewood or woodpile shall not exceed four (4) feet.
- D. The storage area for such firewood or woodpiles shall be no closer than three (3) feet to the property line or lines with any adjacent lands not of common ownership. Further, said storage area shall not be established or placed in the front yard of private premises.
- E. The firewood or woodpiles shall be stored in such a manner that it will not provide harborage for rodents, insects or other pests.

### **§ 142-3. Inspection and notice.**

If, after inspection by the Village Code Enforcement Officer, it is determined that there is a violation of this chapter, the person who owns, occupies or is in control of the private premises shall be given written notice, by personal service or certified mail, return receipt request, by such Code Enforcement Officer that said person is in violation of this chapter. Said person shall, within ten (10) days after being so notified, make the necessary changes in the storage of firewood or woodpile as are necessary to eliminate the violation of this chapter and shall further take necessary eradication measures in order to eliminate or exterminate the rodents, insects and

other pests and remove harborage for the same.

**§ 142-4. Penalties for offenses.**

Any person who permits storage of firewood or woodpiles in such a manner as to violate the provisions of this chapter shall be punishable by fine or imprisonment, or both, as prescribed by Chapter 1, General Provisions, Article II, General Penalty. Each separate violation shall constitute a separate additional offense.

**§ 142-5. Effective date; applicability.**

This chapter shall take effect on September 1, 1992, and shall apply to all storage of firewood and woodpiles existing, established, created or maintained on or after that date.