Town of Hammond
Local Law No. of the Year 2026
Highway Right of Way Debris Law

Article 1 – Introduction

Section I – Authority

This law is adopted pursuant to the authority granted to the Town of Hammond in Section 10 of the Municipal Home Rule Law and Section 130 (15) of Town Law.

Section II – Title

The Local Law shall be known as Town of Hammond, Highway Right of Way Debris Law.

Section III – Purpose of Highway Right of Way Debris Law

By adoption of this Law the Town of Hammond declares its intent to regulate and control debris and waste in the Town highway rights of way by individuals and the Town Board hereby declares that this presents a hazard to vehicular traffic, and unattractive environment, and potential health issues to the well being of its residents.

Article II – Definitions

The terms used in this Local Law shall have the following meanings:

1.) " Town Right of Way" shall consist of a measured distance of 25' feet perpendicular to the center of the road in each direction.

2.) "Property Owner" the person or persons of record owning real property where debris is located in the area of the Town Right of Way.

3.) "Debris" shall consist of all brush, tree limbs, and limb material, tree stumps, furniture, tires, garbage, refrigerators, stoves, washing machines, dryers, dismantled vehicles, car parts, or all other discarded materials of a similar nature.

Article IV – Violations

Section I

No one shall place any debris in the Town Right of Way other then a day or days designated by the Town Board of Hammond as "Collection Days"

Section II

The property owner/owners where the debris is located in the Town Highway Right of Way shall be deemed to be the responsible person/persons to ensure that debris does not exist or remaining on the subject property.

Section III

A violation will exist at the time a person/persons place or allow debris in any Town Highway Right of Way.

Article V- Administration

Section I – The Town Highway Superintendent

The enforcement of this Local Law shall be the responsibility of the Town Highway Superintendent. In the event that the Town Highway Superintendent is unavailable to act for any reason, the Supervisor shall have

the power with the consent of the Board, to designate some other person to act for the Town Highway Superintendent to enforce this Local Law.

Section II – Procedure

When a violation occurs, the Town Highway Superintendent shall notify the property owner in writing directing that the debris be removed from the Town Highway Right of Way within 24hrs. Said notice shall inform the property owner that they will be assessed all costs to the Town to remove the debris in the event that they do not do so before the deadline. Said notice shall also inform the property owner that they have the right to appeal the Highway Superintendent's direction to the Town Supervisor. Said appeal must be in writing and delivered to the Town Supervisor and Town Superintendent within five days of the initial notice.

In the event that the property owner does not remove the debris from the right of way as directed, the Town Highway Superintendent shall take all steps necessary to remove the debris from the Town Right of Way. All Town labor, equipment, and disposal costs to remove said debris shall be billed by the Town Clerk to the property owner.

Article VI – Penalties

Any property owner found to have violated this law shall be responsible for all costs incurred by the Town of Hammond to remove the debris from the right of way on their property. Said costs shall be billed to the property owner, and assessed against their real property taxes if not paid within 30 days of billing.

Any second offense shall constitute a violation, subject to a fine in the amount of $100.00, as well as all removal costs as set forth above.

Any third and subsequent offenses shall constitute a violation, subject to a fine in the amount of $200.00, as well as all removal costs as set forth above.

Article VII – Severability

If any Article, Section, Paragraph, or Provision of this Local Law shall be deemed invalid by any authority of competent jurisdiction, such determination shall apply only to the Article, Section, Paragraph or Provision that is judged invalid and the rest of the Local Law shall continue to be valid, effective and enforced.

Article VIII – Effective Date

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