

The following is an excerpt from the Town of Rome Ordinances. This ordinance was adopted by the Town Board on December 17, 2009 and will go into effect on January 1, 2011.

CHAPTER 9 OFFENSES AND NUISANCES

RESTRICTIONS ON DEAD TIMBER & BRUSH

- (1) PURPOSE: The Town of Rome is heavily wooded. The combination of woodlands and high density housing make homes in the Town particularly vulnerable to wildfires. The effects of such wildfires would be devastating to both persons and property. Dead trees and brush are highly combustible and represent an ideal fuel for the start and spread of a wildfire. The Town has determined that dead trees and brush constitute a safety hazard and a public nuisance and that it is therefore necessary to regulate them.
- (2) DEAD TREES AND BRUSH PROHIBITED IN MANAGED AREAS AS FOLLOWS: Every owner of a parcel(s) of land that is two (2) acres or less with or without a permanent building on it shall be subject to these restrictions on their entire property. Every owner of a parcel that is greater than two (2) acres in size with a dwelling on it shall be subject to these restrictions within one hundred (100) feet of the dwelling. This shall not apply to any outlots, green spaces, common areas or other parcels that are undivided fractionally owned by a Property Association landowner or wholly owned by a Property Owners' Association.
The managed area shall be kept free of:
 - dead trees, standing or fallen, that are 6 inches or greater in diameter at the base of the tree;
 - dead brush and trees limbs on the ground greater than 3" in diameter on the larger end; and
 - brush piles greater than 3' x 3' x 3'.In an attempt to prevent the spread of oak wilt, property owners shall avoid cutting or injuring standing oak trees during the period of April 15 – October 1 of each year except in the case of natural disasters where this can be suspended for a time to be determined by the Town Board. Dead wood that is already on the ground can be cut and piled regardless of the time of year.
- (3) PROCEDURE: Whenever the Town Board's designee shall determine that a property owner is in violation of this section, the Town Board's designee shall send a notice of the violation to the property owner. The notice shall include a description of what constitutes the violation and shall set forth a deadline for the violation to be remedied not to exceed eighteen (18) months. If the violation is not remedied by the deadline, the property owner may be issued a citation by the Police Department for the violation. In addition, the Town may abate the nuisance pursuant to the normal procedure for the abatement of a nuisance.
- (4) PENALTIES: Any owner of property convicted of a violation of this Section shall be subject to a fine of not more than two hundred dollars (\$200.00) plus costs. Each day that the subject property remains in violation of this Ordinance shall constitute a separate violation.