

# SHARPTOWN WEED CONTROL AND DEBRIS ORDINANCE #29

AN ORDINANCE to Repeal and Reenact Ordinance #29 to require the owners of property bordering on any public street within the corporate limits of the Town of Sharptown to maintain their respective properties in such condition as to be clear of excessive growths of weeds and brush, and free from any accumulation of trash, refuse, litter and junk; providing that failure of the owner of any property to keep his, her, or its properties free of such weeds, etc. shall constitute a violation of the ordinance and subject said owner to the payment of fine; and further authorizing the Town of Sharptown, after failure of the owner to clean up said property after notice to do so, to clean up the property at the owner's cost and expense, which cost shall become a lien on the property and shall be collected in the same manner as real property taxes.

**SECTION I.** BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF THE TOWN OF SHARPTOWN, MARYLAND, that the following *amended* ordinance, to be known as the "Weed Control and Debris Ordinance": shall be passed to read as follows:

SECTION 100 - **Definitions**: As used in the ordinance, the following terms shall have the meanings indicated:

- A: Weeds: Any untended or uncultivated grasses, bushes, deleterious or unhealthful vegetation or other noxious growing matter in excess of eight (8) inches in height, except trees, ornamental shrubbery, flowers or vegetables properly tended, pastureland, woodland or land under cultivation.
- B: Brush: Any untended or cultivated young trees, briars and vines, tree limbs and similar materials.
- C: Trash: Dry discarded waste materials such as those composed of paper, glass and metal or combination thereof.
- D: Refuse: Discarded organic materials such as household garbage.
- E: Junk: Discarded materials once in use such as, *but not limited to*, household appliances, furniture, pipe, lumber, or parts thereof, chemicals or chemical products in containers.

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SECTION 200 – **Weed Control Requirements:** It shall be unlawful for the owners, occupants, or persons in control of any property within the limits of the Town of Sharptown to allow on such part of the property any growth of grass, weeds, and/or brush to exceed eight (8) inches in height.

SECTION 300 - **Cutting or Removal of Grass, Weeds, and Brush Required:** Every owner of any area, lot or parcel of land within the limits of the Town of Sharptown shall cut, trim or otherwise remove or cause to be cut, trimmed or otherwise removed all grass, weeds, and/or brush thereon in excess of eight (8) inches. It shall be the duty of any person owning any plat of ground in the limits of the Town of Sharptown to prevent the growth of grass, weeds, and/or brush thereon as shall constitute a health hazard, fire hazard, safety hazard or traffic hazard or public nuisance.

(1) When a violation of Section 200 or Section 300 occurs, the Code Enforcement Officer shall issue a warning letter of violation which:

- a) States that the condition must be removed from the property within ten (10) days of the date of the notice;
- b) States that the Code Enforcement Officer shall conduct a re-inspection of the property after ten (10) days had passed since the date of the notice;
- c) States that, upon re-inspection of the premises, if the violation complained of in the warning letter has not been corrected, then the Town of Sharptown will cut grass, weeds, or brush at the owner's expense. The costs shall be assessed against the owner, shall become a lien on the property unless paid by property owner, and shall be collected in the same manner as real property taxes;
- d) States that an administration fee to be set by separate resolution shall be imposed and collected as real property taxes.

(2) If the violation is not abated upon re-inspection, then the Town of Sharptown will cut the grass, weeds, brush or plant growth at the owner's expense. The costs shall be assessed against the owner, shall become a lien on the property unless paid by property owner, and shall be collected in the same manner as real property taxes. An administration fee to be set by separate resolution shall be imposed and collected as real property taxes.

SECTION 400 – **Trash, Refuse and Junk Requirements:** It shall be unlawful for the owners, occupants, or persons in control of any property within the corporate limits of the Town of Sharptown to allow on such part of the property any accumulation of trash, refuse, litter and/or

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junk so that it becomes unsightly, odorous, rodent infested, or the cause of water or soil pollution.

**SECTION 500 - Removal of Trash, Refuse and Junk:** It shall be the duty of any property owner of a plat of ground in the town to prevent the accumulation of trash, refuse, litter and/or junk that shall constitute a health hazard, fire hazard, safety hazard, traffic hazard and/or public nuisance. Disposal, (which shall include burning), of trash, refuse, litter and/or junk in a legal and lawful manner and in compliance with the laws, rules and regulations of the State of Maryland Health Department.

(1) When a violation of Section 400 or Section 500 occurs, the Code Enforcement Officer shall issue a warning letter of violation which:

- a) States that the condition must be removed from the property within ten (10) days of the date of the notice;
- b) States that the Code Enforcement Officer shall conduct a re-inspection of the property after ten (10) days had passed since the date of the notice;
- c) States that, upon re-inspection of the premises, if the violation complained of in the warning letter has not been corrected, then the Town of Sharptown will remove the trash, refuse, litter and/or junk at the owner's expense. The costs shall be assessed against the owner, shall become a lien on the property unless paid by property owner, and shall be collected in the same manner as real property taxes;
- e) States that an administration fee to be set by separate resolution shall be imposed and collected as real property taxes.

(2) If the violation is not abated upon re-inspection, then the Town of Sharptown will remove the trash, refuse, litter and/or junk at the owner's expense. The costs shall be assessed against the owner, shall become a lien on the property unless paid by property owner, and shall be collected in the same manner as real property taxes. An administration fee to be set by separate resolution shall be imposed and collected as real property taxes.

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**SECTION II.** AND BE IT FURTHER ENACTED AND ORDAINED BY THE COMMISSIONERS OF THE TOWN OF SHARPTOWN, MARYLAND, that this Ordinance shall take effect from and after the date of its final passage.

The above ordinance was introduced and read to the Commissioners of the Town of Sharptown, Maryland, at a meeting held on \_\_\_\_day of \_\_\_\_, 2015, and finally passed at a meeting held on the \_\_\_\_day of \_\_\_\_, 2015, having been published as required by law in the meantime.

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P. Douglas Gosnell, President

ATTEST:

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Jerry L. Bennett, Commissioner

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Town Clerk

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Michael M. Thompson, Commissioner

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Cecil B. Bradley, Commissioner

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Matthew V. Schneider, Commissioner