

Chapter 30

BRUSH, WEEDS AND GRASS

§ 30-1. Height restriction; cutting and removal.

§ 30-2. Maintenance of sidewalk, curb and gutter area.

§ 30-3. Performance of work by Town in cases of noncompliance.

§ 30-4. Violations and penalties.

§ 30-5. Definitions.

[HISTORY: Adopted by the Town Commissioners of the Town of Perryville during codification; see Ch. 1, General Provisions, Art. II Amendments noted where applicable.]

GENERAL REFERENCES

Garbage, rubbish and refuse – See Chapter 50.

Property maintenance – See Chapter 63.

Soil erosion and sediment control – See Chapter 71.

§ 30-1. Height restriction; cutting and removal.

It shall be unlawful for any owner, occupant or other person in control of any lots or lands located within the corporate limits of Perryville to allow on any such lot or land any growth of grass, brush or weeds to a height of one (1) foot or more, and any owner, occupant or other person in control of any lot or land within the town limits of Perryville shall be responsible for the cutting and removal of the grass, brush or weeds.

§ 30-2. Maintenance of sidewalk, curb and gutter area.

Property owners, occupants or other persons in control of any lots or lands located in Perryville shall maintain their respective curb, gutter and sidewalk bordering their parcels

of land in such condition as to be clear of all growth of grass and weeds within the curb, gutter and sidewalk.

§ 30-3. Performance of work by Town in cases of noncompliance. [Amended 7-10-12 by Ord. No. 12-5 Amended]

In the event that the owner, occupant or other person in control of any such lot or land within the corporate limits of Perryville shall fail or refuse to cut and remove such grass, brush or weeds after notification from the town in accordance with § 30-4 and within the time limit of said notification, such grass, brush or weeds shall be removed by the employees or agents of the town. The Town shall submit a bill for all costs of such cutting and removal to the aforesaid owner, occupant or other person in control of said lot or land, and such bill shall be due and payable within thirty (30) days from its date. In the event that such bill is not paid within thirty (30) days from its date, the town is empowered to proceed with its collection by instituting suit on behalf of the town. All such costs of cutting and removal not paid by the date that costs are due and payable also shall be a lien on the property from which the grass, brush, or weeds are cut, enforced and collectible in the same manner as town real property taxes.

§ 30-4. Violations and penalties. [Amended 7-10-12 by Ord. No. 12-5 Amended, Amended 7-3-18 by Ord. 2018-09]

Upon the failure, neglect or refusal of any owner, occupant or other person so notified to cut, destroy and remove such excessive growth of grass, brush or weeds and any growth on curb, gutter and sidewalk, either or both, upon his property within seven (7) days after the date of written notice from the town or upon expiration of fourteen (14) days after the date of such written notice in the event the town, after making a reasonable effort to do so, has been unable to deliver said notice to such owner, occupant or other person, either by personal service or by certified mail, the owner, occupant or other person shall be in violation of this chapter and shall be guilty of an infraction. Every such person is guilty of a separate offense for each and every day such violation shall continue. Each initial violation shall be subject to a fine of twenty five dollars (\$25.) and each subsequent violation shall be subject to a fine of fifty dollars (\$50.).

After the third violation of this Chapter in a calendar year, the town shall give the owner, occupant or other person in charge of a premises forty-eight (48) hours notice to correct any subsequent violation. If the violation is not corrected within forty-eight (48) hours after notice, the town may then have the violation abated at the owner's expense in accordance with § 30-3.

§ 30-5. Definitions. [Added 7-3-18 by Ord. 2018-09]

In this chapter the following terms have the meanings indicated:

Perryville Code – Chapter 30 Brush, Weeds and Grass

Grass - vegetation consisting of typically short plants with long, narrow leaves, growing wild or cultivated on lawns and pastures.

Weeds - all grasses, annual plants and vegetation, other than trees, shrubs, cultivated flowers and gardens.

Brush - a heavy growth of small trees and bushes and/or branches and twigs cut from a tree.