

ORDINANCE NO. 2021-02

ORDINANCE NO. 2021-02 IS AN ORDINANCE TO PROHIBIT TALL GRASS AND WEEDS AND TO REQUIRE THE REMOVAL OF GARBAGE, TRASH AND REFUSE. ORDINANCE NO. 2021-02 AUTHORIZES THE TOWN OF MINERAL TO CUT TALL GRASS AND WEEDS AND REMOVE GARBAGE, TRASH, AND REFUSE AFTER NOTICE TO THE PROPERTY OWNER; THE PROPERTY OWNER IS RESPONSIBLE FOR THE COST AND EXPENSE AND IT MAY BE COLLECTED AS TAXES ARE COLLECTED OR RECORDED AS A LIEN AGAINST THE PROPERTY. ORDINANCE NO. 2021-02 IS AUTHORIZED BY THE GRANT OF AUTHORITY CONTAINED IN VA. CODE § 15.2-901.

BE IT ORDAINED by the Mineral Town Council that the Mineral Town Code Chapter 324, "Property Maintenance," be amended to delete Section 324-2, "Removal of trash and other offensive substances from property," from the Mineral Town Code, and to modify Section 324-1, "Cutting and removal of foreign growth from vacant property," as follows:

"§ 324-1 Cutting and removal of grass, weeds and foreign growth from ~~vacant~~ property.

- A. It shall be unlawful for a property owner to have trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the Town on his/her property.
- B. Trash, garbage, refuse, litter and other debris shall be disposed of in personally owned or privately owned receptacles that are provided for such use and for the use of the persons disposing of such matter or in authorized facilities provided for such purpose and in no other manner not authorized by law.
- C. Upon notice from the Town by letter to a property owner, mailed by first class mail, to the property address and any such other address provided by the property owner for the purpose of receiving tax bills, the property owner shall promptly remove any and all trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the Town.
- D. If a property owner does not promptly remove any and all trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the Town within seven (7) days of the date of the notice, the Town may have such trash, garbage, refuse, litter and other like substances, removed by its own agents or employees, in which event the cost and/or expenses shall be chargeable to and paid by the property owner and may be collected as taxes are collected.
- E. The owners of occupied or vacant developed or undeveloped property, including such property upon which buildings or other improvements are located, shall keep the grass, weeds and other foreign growth, including running bamboo, on the property, or any part thereof, cut. No grass, weeds and other foreign growth, including running bamboo shall exceed twelve (12) inches in height.
- F. Upon one notice per growing season, by letter from the Town, to a property owner, mailed by

first class mail to the property address and any such other address provided by the property owner for the purpose of receiving tax bills, the property owner shall promptly cut the grass, weeds and other foreign growth, including running bamboo, on the property, or any part thereof remove any and all trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the Town.

- G. If a property owner does not promptly cut the grass, weeds and other foreign growth, including running bamboo, on the property, or any part thereof remove any and all trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the Town within seven (7) days of the date of the notice, the Town may have such grass, weeds and other foreign growth, including running bamboo, on the property, or any part thereof, cut and removed by its own agents or employees, in which event the cost and/or expenses shall be chargeable to and paid by the property owner and may be collected as taxes are collected.
- H. Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local real estate taxes and enforceable in the same manner as provided in Articles 3 (§ 58.1-3940 *et seq.*) and 4 (§ 58.1-3965 *et seq.*) of Chapter 39 of Title 58.1 of the Code of Virginia, 1950, as amended. At the option of the Town of Mineral, a lien may be waived in order to facilitate the sale of the property to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.”

This Ordinance shall take effect upon adoption.

*Adopted by the Town Council of Mineral this 8th day of March 2021 by unanimous, roll call vote.
Voting Aye: Michael Warlick, Ed Jarvis, Edward Kube, Roy McGehee, Thomas Runnett and William Thomas.*

Certified to be a true copy of Ordinance 2021-02 which was approved by unanimous vote on March 8th, 2021 at which a quorum of council was present.

ATTEST:

Clerk of the Council



Hon, Pam Harlowe, Mayor