

TOWN OF WYTHEVILLE MOWING REGULATIONS

CHAPTER 12. SOLID WASTE COLLECTION AND DISPOSAL

ARTICLE VI. CONDITION OF PREMISES

DIVISION 2. REMOVAL OF WEEDS, ETC.

Sec. 12-91. Duty of owner of property.

(a) Each person owning property within the town shall cut the grass, weeds, vegetation or other foreign growth on their property. Trees, shrubs, flower beds, vegetable gardens and other landscaping that are maintained free of grass, weeds, vegetation or other foreign growth do not require cutting. At such time as the grass, weeds, vegetation, or other foreign growth reaches a maximum height of 12 inches, the person owning such property shall mow their property. The property shall be mowed at least three times per year, once before May 15, once before July 15 and once before September 15.

(b) Each person owning property containing a stormwater management facility within the town shall cut the grass, weeds, trees, vegetation or other foreign growth within and surrounding the facility, as well as all conveyance channels serving the facility, a minimum of two times per year, once before May 15 and once before September 15.

(c) Beginning April 1 through September 30 annually, each person owning lots or properties that are located within 100 feet of the right-of-way on a town entrance corridor shall, where terrain permits, mow all grass, weeds, vegetation or other foreign growth at least once monthly or earlier if such grass, weeds, vegetation or other foreign growth reaches a maximum height of 12 inches. The town entrance corridors are defined as:

(1) Intersection of Monroe and 4th Streets northward to the town corporate limit line. The limited access area located at Exit 70 is maintained by the Virginia Department of Transportation.

(2) Intersection of Peppers Ferry Road and 11th Street northeastward to the town corporate limit line. The limited access area located at Exit 41/Exit 72 is maintained by the Virginia Department of Transportation.

(3) Intersection of Monroe and 12th Streets westward to the town corporate limit line;

(4) Intersection of 11th and Main Streets eastward to the interstate corridor. The limited access area located at Exit 73 is maintained by the Virginia Department of Transportation.

(5) Intersection of 14th and Main Streets southward to the town corporate limit line.

Trees, shrubs, flower beds and vegetable gardens that are maintained free of grass, weeds, vegetation or other foreign growth on a regular basis do not require mowing.

(d) Each person owning property within the town which is located within an A-1 Agriculture Zoning District and is not within 100 feet of a residential structure or commercial structure that is required to have a maximum growth of 12 inches noted above, shall control the grass, weeds, vegetation or other foreign growth on their property by mowing the grass, weeds, vegetation or other foreign growth on such property at least once between May 15 and September 15.

(e) The town shall give reasonable notice regarding failure to cut such grass, weeds, vegetation or other foreign growth noted above through publication in the local newspaper, on the local radio, on the town website and on water bills or other means determined by the town council. The town shall have such grass, weeds, vegetation or other foreign growth cut by its agents or employees, in which event the cost shall be chargeable to and paid by the owner of such property and may be collected by the town as taxes are collected.

(f) Any owner who shall violate any provision of this section shall be subject to a civil penalty, not to exceed \$50.00 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200.00. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000.00 in a 12-month period.

Sec. 12-92. Procedure when owner of property fails to comply with section 12-91.

The town may, prior to each growing season, provide notice of the approaching growing season by way of advertising with the local news media as described in 12-91(e). If a person owning property within the town shall fail, refuse or neglect to cut and remove grass, weeds, brush and other foreign growth, as provided in section 12-91, the town will provide one written notice per growing season to the owner of record of the subject property and then the town will enter upon the property in question to cut and remove the grass, weeds, brush and other foreign growth there from. If the town so enters upon such property, and cuts and removes grass, weeds, brush and other foreign growth by its own agents and employees, the costs and expenses thereof shall be chargeable and assessed to and paid by the owner of such property and may be collected by the town as taxes and levies are collected. The costs and expenses thereof shall be at a rate as prescribed from time to time by the council.