

**ORDINANCE TO REPEAL ARTICLE IV TITLE 33 OF THE TOWN CODE OF THE TOWN OF FELTON ENTITLED "AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON" AND ENACT A NEW ARTICLE IV TITLE 33 OF THE TOWN CODE OF THE TOWN OF FELTON ENTITLED "AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON"**

WHEREAS, it is, in the opinion of the members of the Town Council of the Town of Felton, necessary and in the best interest of property owners and residents of the Town of Felton to amend the current ordinance regarding the growth of certain grass, weeds and other vegetation to further protect the health, safety and general welfare of the property owners and residents of the Town of Felton.

BE IT HEREBY ENACTED by the Town Council of the Town of Felton, a majority thereof concurring in Council duly met, that the following ordinance be and hereby is adopted:

**Section 1.** The Ordinance, Article IV Title 33 of the Town of Felton, entitled "AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON" is hereby repealed.

**Section 2.** An Ordinance, Article IV Title 33 of the Town of Felton, entitled "AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON" is hereby adopted as follows:

Article IV  
Title 33

**AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON**

Section 1 – It shall be unlawful for any person, group of persons, firm, association or corporation to permit:

a) any grass or weeds or other vegetation whatsoever other than eatable vegetables, trees and flowers to grow higher than ten (10) inches from the ground on any lot or parcel of ground within the corporate limits of the Town of Felton, owned by such person, group of persons, firm, association or corporation whether said lot or parcel of ground has or has not erected thereon improvements;

b) grass clippings, discarded weeds or any other yard waste to accumulate, be blown, swept, raked, or otherwise placed on any streets or sidewalks in the Town of Felton. Excluded from this ordinance is yard waste properly stored in a can, bag, or other

container that is sufficient to prevent the yard waste from blowing or spilling from the container which is otherwise permitted to be temporarily placed on the street or sidewalk in the Town for pickup for disposal or recycling.

c) grass clippings, discarded weeds or any other yard waste to accumulate, be blown, swept, raked, or otherwise placed in any catch basin, drainage basin or other storm water management pond or structure in the Town of Felton.

Section 2 – Any person or group of persons, firm, association or corporation violating any of the provisions of this Ordinance shall be guilty of maintaining a nuisance and upon conviction thereof before any Court of Competent Jurisdiction shall be fined not less than Five Dollars (\$5.00) nor more than One Thousand Dollars (\$1,000.00) and costs. Each day that such nuisance is maintained or continued shall constitute a separate offense.

Section 3 – In case the owner or responsible party for the said lot or parcel of ground shall fail to abate said nuisance within five (5) days of receipt of written notice signed by a representative of the Town of Felton by certified letter, the Town of Felton shall proceed to do so, and the cost thereof, together with any fines and costs, shall constitute a claim against the owner or owners of said lot or parcel of ground and may be collected as any other fine or cost are collected. Notification of violation will be sent once a season.

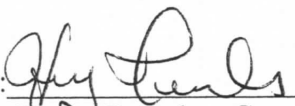
Section 4 – When the Town of Felton is required under this Title to mow lots or when the Town is requested to mow private property in the Town of Felton, the charge shall be One Hundred Dollars (\$100.00) per hour with a minimum charge of One Hundred Dollars (\$100.00).

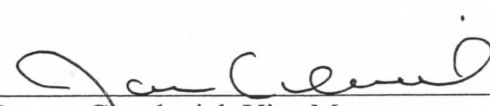
## SYNOPSIS

This ordinance repeals AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON, Article IV Title 33, and replaces it with a new AN ORDINANCE CONTROLLING THE HEIGHT OF GRASS, WEEDS AND OTHER VEGETATION WITHIN THE TOWN OF FELTON, Article IV Title 33, which amends the repealed ordinance by changing the following: (a) the maximum permissible height of grass is changed from twelve (12) inches to ten (10) inches; (b) grass clippings and other yard waste are prohibited from being deposited on Town streets or sidewalks or storm water management facilities; (c) notification of violation to be done by certified letter and to occur once a season; (d) increases the maximum potential fine to the maximum \$1,000.00 fine permitted by the Town Charter; and (e) increases the hourly fee for grass cutting services performed by the Town from \$50.00 per hour to \$100.00 per hour.

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This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town of Felton Town Council at a duly-noticed and convened meeting at which a quorum was present on August 11, 2008.

So Certifies:

Attest:   
Henry Twardus, Councilman

  
Joanne Chendaniel, Vice Mayor