

TOWN OF SHARON
ORDINANCE 2021-1
Health and Sanitation
Public Safety
Clear Passage of Streets and Sidewalks

Addendum to Ordinance 2021-1 revised January 18, 2023
Intended to Replace Ordinance 2006-1

ARTICLE 1: VACANT LOTS, RESIDENTIAL LOTS AND COMMERCIAL PROPERTIES:

SECTION 1: Unlawful Maintenance

It shall be unlawful for any person not to maintain on any premises including vacant lots or land, as well as residential or commercial properties, upon which grass, trees and or bushes, weeds, undergrowth, trash, garbage, offal, stagnant water, building materials, glass, wood, broken items of household or business materials, or other matter or items of any type kind or nature that are deleterious to good health and public sanitation and or public safety or that interfere with public passage and which are permitted or caused to accumulate in such a manner as it may become a nuisance or cause injury to the health or welfare of citizens or the public in the vicinity or interfere with the safe and unimpeded transit of persons or vehicles on streets or sidewalks.

SECTION 2: Enforcement

The town mayor or his or her designated appointee shall enforce this ordinance by way of EITHER magistrate's summons and fines as set forth in the "FINES" section under Article Two below or by the filing of clean up liens attached to the property OR Both.

SECTION 3: Notice to Owners to Clean

It shall be the duty of the mayor or his or her designated appointee of the town to receive complaints as to unlawful maintenance and thereafter to notify the owner of the premises referred to in Section 1, and if after a full investigation of the matter by the mayor which shall include any statement or testimony by the owner, and if the mayor or his or her designated appointee shall find such premises or lot in a condition tending to injure or cause potential injury to the public health, public welfare, or if such condition is a nuisance to the neighboring properties or to person in general in the area, the mayor shall issue a written order or notice directed to the owner, directing and requiring him within a certain specified time to clean such premises or lot, in order to abate such nuisance and said specified time shall be no more than 10 days from receipt of said notice.

SECTION 4: Clearing by City; Collection of Costs

Should any property owner fail to keep property referred to in Section 1 cleaned and/or cut, the city may cause such property to be cleaned and/or cut and kept in a sanitary condition for health purposes and fire prevention. If the cost for the cleaning, to which fifty (50) percent is to be added to cover administrative costs, is not paid by the property owner within ten (10) days after being mailed a statement of a cost, the total

amount of the bill shall be an assessment against the property and the assessment shall be added to the annual tax levied and shall be collected in the same manner as the annual property tax.

ARTICLE 2: ITEMS IN OR NEAR PUBLIC RIGHT OF WAY AND SIDEWALKS

SECTION 1: Unlawful Maintenance

It shall be unlawful for any person not to maintain on any Side Walk, Roadway, public Right of Way or the unpaved area between sidewalks and roadways any materials whether they be trash, garbage, offal, building materials, glass, wood or other matter deleterious to good health and public sanitation and which is permitted or caused to accumulate in such a manner as it may become a nuisance or cause injury to the health or welfare of citizens or the public in the vicinity, NOR shall tree limbs, shrubbery, and/or tall grass be allowed to grow closer than 4 feet from a roadway or sidewalk, NOR shall it be allowed to place merchandise for sale or display upon any Side Walk, Roadway or the unpaved area between sidewalks in that same has been determined to be a health and safety hazard to those persons who might wish to or need to use and access those areas for foot traffic and movement along such sidewalks and also in that same constitutes a nuisance and a distraction to vehicular traffic alongside such sidewalks.

SECTION 2: Enforcement

The town mayor or his designated appointee shall enforce this ordinance by way of Magistrate's Summons and Fines, Impoundment and levy of Impoundment fees or Disposal of Items.

SECTION 3: Notice to Owners to Clean or to Remove Items

It shall be the duty of the mayor of the town or his or her designated appointee to receive complaints as to unlawful maintenance and thereafter to notify the owner of the premises referred to in Section 1, and if after a full investigation of the matter by the mayor which shall include any statement or testimony by the owner, and if the mayor shall find such premises or lot in a condition tending to injure the public health, public welfare, or if such condition is a nuisance to the neighborhood property, the mayor shall issue a written order or notice directed to the owner, directing and requiring him within a certain specified time to clean such premises or lot, in order to abate such nuisance and said specified time shall be no more than 10 days from receipt of said notice.

SECTION 4: Clearing by City; Collection of Costs

Should any property owner fail to keep property referred to in Section 1 of Article 2 cleaned and cleared and free of items, The Town, by the mayor or his or her designated person, shall summons the violating party and upon any conviction thereby in the Magistrates Court is authorized to issues fines as follows:

First Offense: Not less than \$150.00 nor more than \$300.00.
Second Offense: Not less than \$300.00 nor more than \$500.00.
Third Offense: Not less than \$500.00 nor more than \$750.00.

Fourth Offenses

And After: Not less than \$750.00, nor more than \$1,000.00 and Town shall have the Right to remove the items and either impound them at a rate of \$50.00 per Day and if not removed from impound within 14 days, to dispose of same

With the County Landfill and assess a lien on the property for the total of Unpaid impound fees as well as any landfill fee incurred.

This ordinance shall take effect immediately upon adoption.

All prior ordinances which are contrary to or in conflict with the above ordinance are hereby repealed.

Done and ramified and council assembled this 18th day of January 2023.