

ADOPTED

APR 09 2019

Board of Supervisors
James City County, VA

ORDINANCE NO. 131A-9

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10. GARBAGE AND REFUSE, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 10-4, MAINTENANCE OF PREMISES - DUTY OF OWNERS, OCCUPANTS, AND PERSONS IN CHARGE; AND SECTION 10-5, RECOURSE OF COUNTY UPON FAILURE TO MAINTAIN BY OWNER OR OCCUPANT.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 10, Garbage and Refuse, is hereby amended and reordained by amending Section 10-4, Maintenance of premises - Duty of owners, occupants, and persons in charge; and Section 10-5, Recourse of county upon failure to maintain by owner of occupant.

Chapter 10. Garbage and Refuse

Article I. In General

Sec. 10-4. Maintenance of premises - Duty of owners, occupants, and persons in charge.

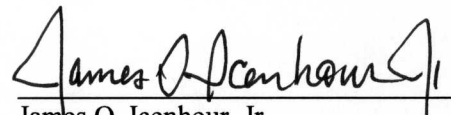
- (a) It shall be the duty of each owner of any real property in the county to maintain such property at all times free from any accumulation of garbage, trash, litter, refuse or other waste matter, whether liquid or solid, which might endanger the health or safety of residents of the county or otherwise constitute a nuisance. Such garbage, trash, litter, refuse or other waste material 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.
- (b) It shall be the duty of each owner of any *occupied or* vacant developed, or undeveloped property, including such property upon which buildings or other improvements are located, *within platted subdivisions and areas zoned for residential, business, commercial, or industrial use*, to provide for the cutting of grass, weeds, *running bamboo*, and other foreign growth as often as needed to prevent breeding and harboring places for insects, reptiles and rodents, *or and* to prevent other hazards to the health or safety of residents of the county or other nuisances. *This section shall not apply to land zoned for or in active farming operation.*
- (c) ~~It shall be the duty of each owner of any occupied real property within platted subdivisions and areas zoned for residential, business, commercial or industrial use to provide for the cutting of grass, weeds, and other foreign growths as often as needed to prevent breeding and harboring places for insects, reptiles and rodents and to prevent other hazards to the health or safety of residents of the county or other nuisances.~~

State Law reference - Authority of county to provide for removal of trash, garbage, grass, weeds, etc., Code of Va. § 15.2-901.


Sec. 10-5. Recourse of county upon failure to maintain by owner or occupant.

- (a) The county administrator or his designee, ~~and~~ upon complaint by any responsible person that conditions exist on any real property in violation of section 10-4, shall investigate conditions existing on real property in the county at any time, ~~and~~ ~~Upon determination by the county administrator or his designee, following investigation,~~ that the owner of any real property in the county stands in violation of his duty as provided in section 10-4, ~~the county administrator or his designee shall~~ ~~and directing~~ him to take such action as may be necessary to rectify such conditions within such time, not more than ten days, as shall be stated in the notice.
- (b) If ten days after the service of any such notice the directive thereof has not been complied with, the county administrator or his designee shall proceed to have such work done as may be necessary to abate any ~~nuisance or~~ condition which might endanger the health or safety of residents of the county, ~~including cutting any grass, weeds, running bamboo, or other foreign growth which is in violation of section 10-4 of this Chapter.~~ ~~and~~ All expenses resulting therefrom shall be chargeable to and paid by the owner of such property and shall be collected by the county as taxes and levies are collected, and all charges not so collected shall constitute a lien against such property. In addition, the county administrator or his designee may record such documents among the real estate records of the county as may be necessary to give notice of such lien.

State Law reference - Authority of county to charge for removal and record liens for failure to remove trash, garbage, weeds, etc., Code of Va. § 15.2-901.


James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:


Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	AYE	NAY	ABSTAIN
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of April, 2019.