

TOWN OF FRIENDSVILLE

ORDINANCE NO. 2021-0/

DEBRIS, TRASH AND RUBBISH ORDINANCE AMENDMENT

AN AMEDEMMENT TO AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF FRIENDSVILLE WHICH REGULATES THE ACCUMULATION OF DEBRIS, TRASH AND RUBBISH IN THE TOWN OF FRIENDSVILLE BY ESTABLISHING A PROVISION THAT SPECIFICALLY ADDRESSES THE CONTROL OF WEEDS AND GRASS WITHIN THE TOWN OF FRIENDSVILLE.

WHEREAS, the Mayor and Town Council of Friendsville is authorized by Section 5-202 of the Local Government Article of the Maryland Annotated Code and by the Friendsville Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Friendsville, and;

WHEREAS, on October 18, 2005 the Mayor and Town Council of Friendsville adopted a debris, trash and rubbish ordinance which made violations of the ordinance a municipal infraction, and;

WHEREAS, the Mayor and Town Council finds it is in the best interest of the Town and its residents to establish a provision that specifically addresses the control of weeds and grass within the Town;

WHEREAS, Article Three of the Ordinance, "Prohibitions", currently states:

ARTICLE THREE

PROHIBITIONS

Section 1. Debris, trash and rubbish shall be prohibited from being located within the Town of Friendsville unless stored in a building, out of sight.

Section 2. Debris, trash and rubbish awaiting pick-up by the Town or by Town trash collectors must be placed at the edge of the Town right-of-way not more than 24 hours before the scheduled pick-up period.

Section 3. Nothing herein shall prohibit the storage of debris, trash and rubbish by a properly licensed salvage yard as long as such salvage yard is in compliance with the Garrett County Junk Ordinance or by a Junk Ordinance enacted by the Mayor and Town Council of Friendsville.

Section 4. No lot, plot or parcel of land in one ownership (hereafter "lot") or qualifying portion thereof will be held to be in violation of the prohibition against "tall grass and weeds 12 inches high or more", as set forth under Article Two, "Definitions", Section 2. defining "Debris, trash and rubbish" when the subject property or qualifying portion of the subject property meets one of the following criteria:

(a). Wooded or Forested Lot. Whether or not contiguous with or adjacent to other property of the same owner, any property or that portion thereof which is mature forest or woodlands, substantially in its natural state, such that concentrations of tall grass and weeds are suppressed by the naturally occurring detritus and undergrowth; or,

(b). Vacant Lot. Unless contiguous with or adjacent to other property of the same owner which has been improved with a building (as defined in the Town Zoning Ordinance), any property which does not qualify as an exemption under section (a) of this Section 4, so long as the subject property or portion thereof is mowed or otherwise cleared at least once annually and the grass and weeds are not allowed to exceed 30 inches in height.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, the following amended Article Three of the Debris, Trash and Rubbish Ordinance, is hereby enacted:

ARTICLE THREE

PROHIBITIONS

Section 1. Debris, trash and rubbish shall be prohibited from being located within the Town of Friendsville unless stored in a building, out of sight.

Section 2. Debris, trash and rubbish awaiting pick-up by the Town or by Town trash collectors must be placed at the edge of the Town right-of-way not more than 24 hours before the scheduled pick-up period.

Section 3. Nothing herein shall prohibit the storage of debris, trash and rubbish by a properly licensed salvage yard as long as such salvage yard is in compliance with the Garrett County Junk Ordinance or by a Junk Ordinance enacted by the Mayor and Town Council of Friendsville.

Section 4. No lot, plot or parcel of land in one ownership (hereafter "lot") or qualifying portion thereof will be held to be in violation of the prohibition against "tall grass and weeds 12 inches high or more", as set forth under Article Two, "Definitions", Section 2. defining "Debris, trash and rubbish" when the subject property or qualifying portion of the subject property meets one of the following criteria:

(a). Wooded or Forested Lot. Whether or not contiguous with or adjacent to other property of the same owner, any property or that portion thereof which is mature forest or woodlands, substantially in its natural state, such that concentrations of tall grass and weeds are suppressed by the naturally occurring detritus and undergrowth; or

(b). Vacant Lot. Unless contiguous with or adjacent to other property of the same owner which has been improved with a building (as defined in the Town Zoning Ordinance), any property which does not qualify as an exemption under section (a) of this Section 4, so long as the subject property or portion thereof is mowed or otherwise cleared at least once annually and the grass and weeds are not allowed to exceed 30 inches in height.

Section 5. It shall be unlawful for any owner, occupant, lessor, lessee, tenant and/or person, firm or corporation in control of any lot, lots, parcels or tracts of land within the limits of the Town of Friendsville to allow, maintain or permit the maintenance on any such lot, lots, parcels or tracts of land any growth of grass, weeds or any vegetable matter to a height of 12 inches or more from the ground. It shall likewise be unlawful for any owner, occupant, lessor, lessee, tenant and/or person, firm or corporation in control to permit grass, weeds or any vegetable matter, other than shade trees, to grow or remain growing upon the curbs or gutters abutting its property.

BE IT FURTHER RESOLVED, this ordinance amendment shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Friendsville. A public hearing on this debris, trash and rubbish ordinance amendment shall be held on the ___ day of ___, 2021 at ___ P.M. at the Town Hall located at 313 Chestnut Street Friendsville, Maryland 21531.

INTRODUCED this 16th day of August, 2021.

SECOND READING AND ADOPTION this 4th day of October, 2021.

AND BE IT FURTHER ORDAINED AND RESOLVED, this Ordinance shall be effective the 1st day of November, 2021.

THIS ORDINANCE AMENDMENT IS SUBJECT TO THE REFERENDUM AS OUTLINED IN THE ANNOTATED CODE OF MARYLAND.

ATTEST:

APPROVED:



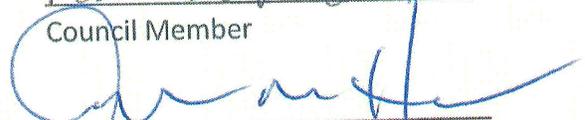
Town Clerk



Mayor



Council Member



Council Member



Council Member



Council Member


council member