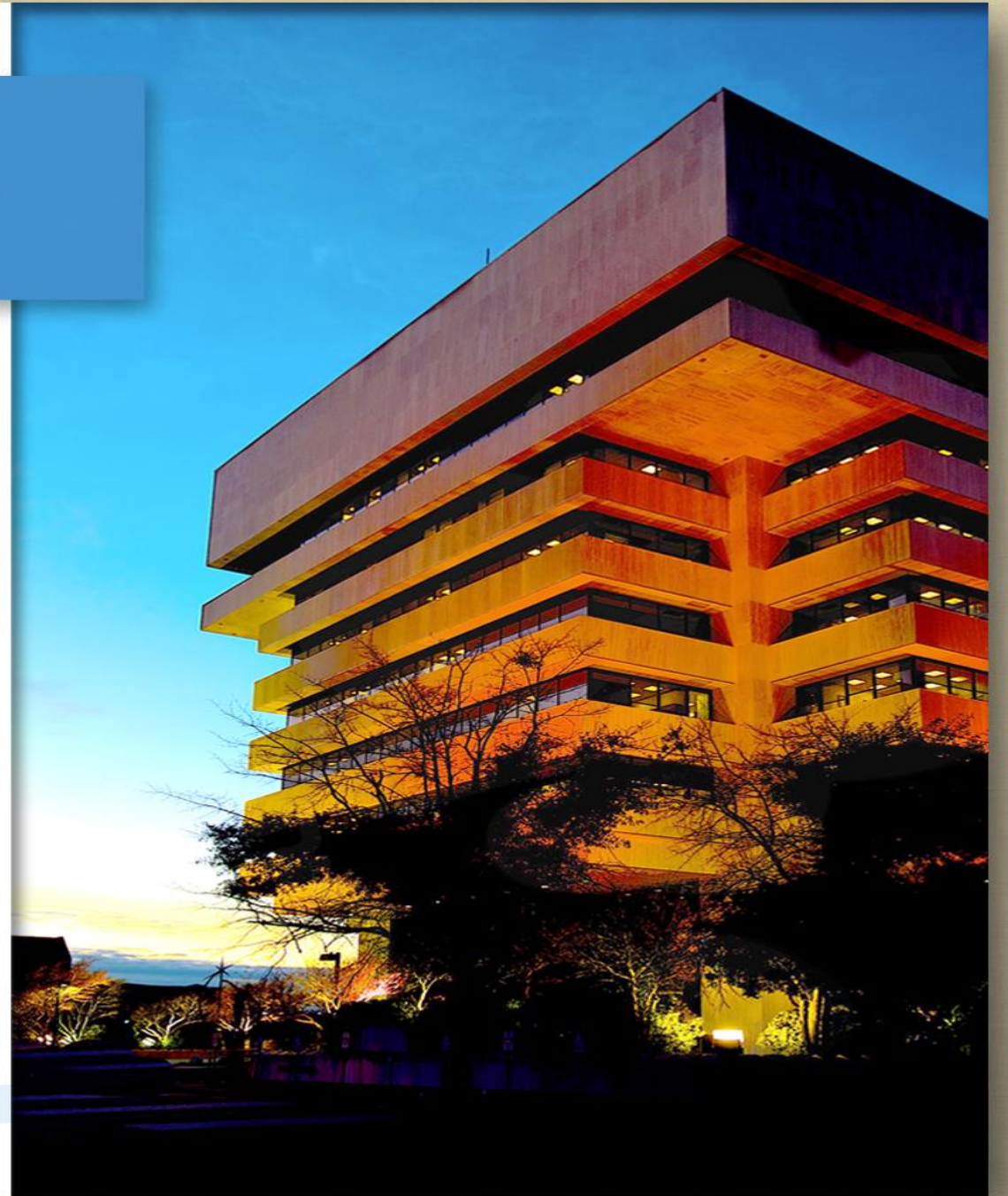


# HAMPTON VA

## Code Enforcement Briefing

City Council  
December 11, 2019



# Purpose

- We were tasked by City Council to look at our enforcement powers related to the high grass ordinance.

# Agenda

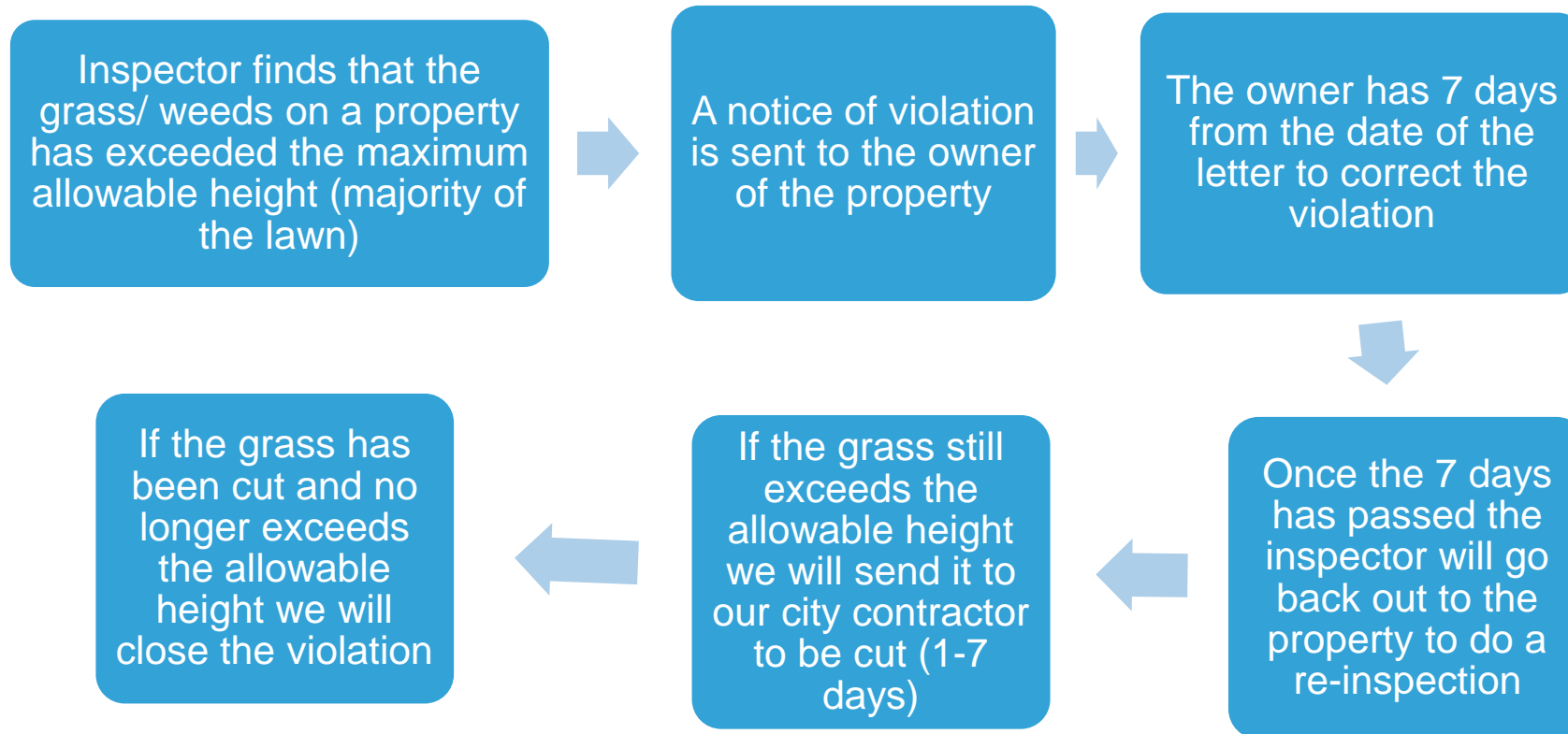
- Current city grass ordinance
- High grass violation process
- Volume of grass violations
- Challenges with current process
- Limitations of state code
- Proposed ordinance change

# Current City Grass Ordinance

## Sec. 24-37 (b)

It shall be unlawful for the owner of any land, or any occupant or other person who is responsible for the maintenance and upkeep of any land, occupied or vacant including the area adjoining such property extending to the curb line or the paved portion of the roadway and or the center line of an abutting alley, to permit grass, weeds and other foreign growth on such property to **exceed a height of ten (10) inches**, within one hundred fifty (150) feet of any residential or commercial structure, or any structure designed for use in connection therewith

# High Grass Violation Process (First Violation)



# High Grass Violation Process (After the First Violation)

Inspector finds that the grass/ weeds on a property has exceed the maximum allowable height



We do not send another notice of violation as we are only required to send one notice per growing season to the owner of record (March 1-November 30)



Inspector sends to city contractor to be cut (1-7 days)

# Fines

If the city contractor cuts the grass:

- ✓ \$200 minimum lien placed on the property
- ✓ (cost may be higher if the lot exceeds 12,500 square feet)

If the contractor is not able to cut the grass:

- ✓ Summons issued to the owner of record
- ✓ If convicted in court:
  - ✓ Fine of up to \$1000 and abatement will be ordered
  - ✓ If owner fails to abate once convicted with abatement order, we can request a show cause summons
  - ✓ Subsequent convictions same as initial

# High Grass Statistics

	2017 Growing Season	2018 Growing Season	2019 Growing Season
<b>Total Violations Sent</b>	3,773	4,011	<b>3,445</b>
<b>Total cut by city contractor</b>	1,272	1,192	<b>1,162</b>
<b>Owner cut after receiving violation</b>	2,501	2,819	<b>2,283</b>
<b>Total inspections</b>	8,818	9,214	<b><u>8,052</u></b>



# Challenges with Enforcement

- The process for high grass violations can take 14+ days for the first violation of the growing season
- This creates blight issues throughout the city as high grass can go from being 10 or more inches when the violation is found to exponentially taller by the time we gain compliance
- Enforcement is regulated by State Code authority

# State Code Authority

- The Virginia State Code gives us the authority to enforce high grass
- The state code requires us to give reasonable notice before having it cut by our contractor (7 days for the first violation)
- The state code does not specify the maximum grass height so we have the flexibility to make that determination

# Proposed Ordinance

- We are proposing to change the maximum allowable grass height from 10" to 8"

Questions?