

## Chapter Six

### **ARTICLE II – Obstruction of Streets and ways by Trees, Shrubs, Bushes, or Vegetation and to the Care and Trimming of Weeds and Vegetation on Private Property.**

#### **6.2.1 – Maintenance of Trees, Shrubs, Bushes and Vegetation so as not to Obstruct or Impede Street, Sidewalk, Alley; Maintenance of Weeds and Vegetation on Private Property**

- **Grass, weeds and vegetation.**

(a)

No owner, occupant or person in charge of any premises, or his agent or employee, shall suffer or permit thereon any growth of grass or weeds to the height of more than six (6) inches, nor shall any such person suffer or permit the growth of any weeds or grass on any part of any sidewalk abutting upon such premises.

(b)

All premises shall be maintained by the owners, occupants and persons in charge thereof free of vegetation which affords a breeding place for insects, reptiles or rodents, and upon all premises not devoted to agricultural uses the grass thereon shall be kept trimmed to a height of not more than six (6) inches.

(c)

Grass, weeds and vegetation, when cut down, shall be removed from the premises and disposed of in such manner as not to create a nuisance.

(d)

The word "weeds," as used in this section, shall be construed to include all rank vegetable growth which exhale unpleasant and noxious odors, and also high and rank vegetable growth that may conceal filthy deposits.

(e)

The citations may be issued on the spot to the responsible party by the Glasgow Police Officers. The party receiving the citation may contest the citation in the Glasgow Town Hall or Municipal Court within ten (10) days of its issuance.

The police department is hereby directed to notify, in writing, by hand delivery to the addressee only, the owner, or agent of such owner of any lot or parcel of land in the city, to cut and destroy any noxious, unhealthful, or deleterious growth of vegetation and any weeds or grass that exceed six (6) inches in height. If the addressee, owner or agent of such owner is not readily available, such notice shall be sent to the last known address of the owner, or the agent of the owner, of such lot or parcel. If said notice is refused or returned, action will be taken by the city for removal.

- **Fines and fees.**

The failure of any owner or agent of such owner so notified to comply with such notice and/or order to cut and destroy any such vegetation, weeds, or grasses within the prescribed time period of seven (7) days is an offense that shall be punished by a fine of a minimum of fifty dollars (\$50.00) and a maximum of five hundred dollars (\$500.00) and the additional cost of \$150 expended by the city in cutting or destroying of said growth, weeds, or grasses.

- **Removal by city.**

Upon the failure, neglect, or refusal of the owner or agent notified to cut and destroy any noxious, unhealthful, or deleterious growth of vegetation or any weeds or grasses in excess of six (6) inches after ten (10) days of the receipt of such notice or of service of the notice as provided, the city is hereby authorized to cut and destroy said growth, weeds, or grasses by using city forces.

- The Town of Glasgow will bill the owner or agent notified \$150.00 per incident of removal.

- **Growth of weeds, grass, or vines on the sidewalks.**

- It shall be unlawful for any person to allow on the sidewalk abutting any lot of ground or any part thereof which such person may have control, any growth of weeds or grass or vines whatever.

- City of Glasgow Police Department is hereby granted authority to issue citations for certain violations of the City Code in order to eliminate hazards to public health and safety, and abate or cause to be abated public nuisances. The citations may be issued for violations extending to sanitation, drainage, high weeds, grass or both, graffiti, exterior garbage accumulation and open storage in residential districts.

- The citations may be issued to the owner, lessee, sub-lessee, tenant, occupant, or agent or manager thereof, presently having control over the property in question.

- The citations may be issued on the spot to the responsible party. The party receiving the citation may contest the citation in the Town of Glasgow Municipal Court within ten (10) days of its issuance.

- **Fines and fees.**

The failure of any owner or agent of such owner so notified to comply with such notice and/or order to cut and destroy any such vegetation, weeds, or grasses within the prescribed time period of seven (7) days is an offense that shall be punished by a fine of a minimum of fifty dollars (\$50.00) and a maximum of five hundred dollars (\$500.00) and the additional cost of \$150 expended by the city in cutting or destroying of said growth, weeds, or grasses.

1<sup>st</sup> Reading Oct. 15, 2018

2<sup>nd</sup> Reading Nov. 19, 2018

  
Mayor

  
Recorder

## CHAPTER SIX

### ARTICLE I -Streets, Other Public Ways, Abutting Premises

#### 6.1.1 Fences, Walls, and Other Barriers

A. It shall be unlawful for any person to construct or maintain, or to permit to be constructed or maintained, in the Town (1) any fence or other barrier, located within 18 inches of any street, sidewalk or alley, which fence or other barrier is made in whole or in part, of barbed wire or other material or equipment which is dangerous to pedestrians or vehicles, or which is so constructed as to be dangerous to pedestrians or vehicles or (2) any fence or other barrier charged with electrical current.

#### B. "Fences and Walls"

1. It shall be unlawful to erect or construct or cause to be erected or constructed any fence or wall of the following descriptions without first obtaining a permit therefore:

(a) A fence or wall over three and one half feet in height except those located within the side and rear areas of a lot.

(b) A fence or wall six feet in height located from the side of the front foundation of the house or extending back and across the back of said lot.

(c) A fence or wall may not exceed three and one half feet in height when it is located in an area adjoining a street, right-of-way or alley.

(d) No fence or wall or even shrubbery shall be erected, maintained or planted on any lot which would obstruct or interfere with traffic visibility on a curve or at any street or alley intersection.

2. Permits – It shall be unlawful for any person to install, erect, construct, relocate or alter any fence or wall within the Town limits without first obtaining a permit. No permit shall be issued if the fence or wall does not meet the requirements of this section. A sketch or design of the proposed fence including a description of materials to be used and specification of height shall be submitted with the application for the permit.

3. Exemptions – This section does not apply to fences in existence before the passage of this ordinance, except that on sale or transfer of the property on which a nonconforming fence is located, such fence shall be made to conform to the requirements of this ordinance, or removed within thirty days of closing or transfer.

6.1.2 Playing Games in Streets – No person shall play the game of football, or any other game with a ball, in any of the streets in the Town, nor shall it be lawful for any person to play the game of bandy, shindy, polo or any other game by which a ball, stone or other substance is struck or propelled by any stick, cane or other substance in any street in the Town.

6.1.3 Throwing Missiles in Streets or Public Places – No person within the Town shall throw any stone, brick, stick, can or other missile in or into any street, sidewalk, alley, or other public place in the Town.

6.1.4 Dangerous Excavations or Structures – No person shall, in the grading, paving, or repair of any street, alley, or sidewalk, or in the construction, razing, or repairing of any building or other structure, or in any other activity or pursuit, leave any excavation, hole, wall, structure or material of any kind, upon any premises or in or upon any street, alley, or sidewalk, which is dangerous or hazardous to any person, animal or vehicle, and which, at the time it is so left, is not properly guarded.

6.1.5 Entering Playgrounds and Swimming Pools After Hours – It shall be unlawful for any person, other than an officer, employee or authorized agent of the Town, to enter, for any purpose whatsoever, upon any playground, swimming pool or other recreational facility or recreational area operated by the Town, at any time other than during the hours established by the Council or by an officer of the Town for the use thereof by the public.

6.1.6 Obstructing Streets or Other Public Ways – No person shall construct or maintain, or permit to be constructed or maintained, any structure upon or over any street, alley, or sidewalk which shall obstruct such street, alley, or sidewalk or impede or interfere with its use by the public, or place or leave in place in any street, alley, or sidewalk any materials or substances which shall obstruct such street, alley, or sidewalk or impede or interfere with its use by the public. The construction, maintenance, placing, or leaving in place of any structure, materials, or substances in or over any street, alley, or sidewalk which shall be dangerous to any member of the public using such street, alley, or sidewalk shall be deemed an interference with the use of such street, alley, or sidewalk by the public in violation of the provisions of this section.

### 6.1.7 Multi-residential Housing – Off Street Parking Required

#### Finding of Facts

The Council of the Town of Glasgow, West Virginia, after thorough consideration of all factors relevant thereto, does hereby make the following findings of facts:

- A. Residential parking within the corporate limits of Glasgow is limited.
- B. Multi-residential housing property creates a greater need for on street parking which at this time is very limited.
- C. The creation of this Ordinance requiring multi-residential housing to supply off street parking for at least one vehicle per unit is needed in order to promote the general welfare and well-being of the community and the residents of the Town of Glasgow.

#### Definitions

- A. Off street parking is defined as parking within the confines of the real property in which a multi-residential structure is built or constructed.
- B. Multi-residential Property is defined as a building or buildings constructed on a single lot that will house more than one resident or family. The structure will have separate entries to the living quarters and are built as apartments, townhouses, condominiums, garage apartment or other similar structures. Further, multi-residential property includes placing a mobile home, modular home, pre-fab home, manufactured home or any other building that can be used as a residence on

an existing lot or parcel of land that already has a residential home or apartment on such property.

**Ordinance** – Any structure built after the passage of this ordinance that will create multi-residential property as defined by this ordinance shall provide off street parking for at least one vehicle per residential unit on the lot or parcel of land. Any apartment building or any other multi-residential property shall not seek a building permit unless plans are submitted for the construction of said apartment or any other multi-residential property showing where the off street parking for each unit will be located.

**Enforcement** – No building permit will be issued within the corporate limits of the Town of Glasgow to construct a multi-residential unit unless the building plans include off street parking for one vehicle per unit or apartment unit.

**Penalties** – Anyone violating this Ordinance shall be fined up to ten dollars (\$10.00) per day and said violator must comply with this Ordinance within thirty (30) days of being notified by the appropriate Town Officials. Further, no building permit will be issued unless this Ordinance is complied with by the builder.

**Effective Date** – The effective date of this Ordinance will be the date in which this Ordinance is adopted by the Town Council. This Ordinance shall not be retroactive to any multi-residential property in existence at this time. However, any new construction on any property within the corporate limits of the Town of Glasgow after the effective date shall comply with this Ordinance.