

CHAPTER 13

ARTICLE 2

Storage of Building Materials, Junk and Other Nuisance Items

- 13.2.1 Authority.
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CROSS REFERENCES

Littering – see Chapter 15

13.2.1 Authority.

This article adopted pursuant to the authority granted the Town of Glasgow in West Virginia Code 8-12-5(13), 8-12-5(15), 8-12-5(23). And 8-12-5(44).

13.2.2 Purpose.

(a) The Town of Glasgow hereby declares that a clean, wholesome and attractive environment is of vital importance to the continued general welfare of its citizens, and that regulations of the outdoor storage of junk, rubbish, clutter, litter or debris, regardless of quantity, is hereby prohibited within the sight of persons lawfully traveling the public roads or within sight of one or more neighboring properties anywhere within the Town of Glasgow and declares the same to be a nuisance and a fire hazard.

(b) By adoption of this article the Town of Glasgow declares its intent to preserve and promote a reasonable quality of environment and aesthetics and to prohibit actions and conduct that tend to depreciate not only the property on which it is located but also the property of the other persons in the neighborhood and community in general.

13.2.3 Definitions.

As used in this article:

- (a) "Enclosed porch or balcony" shall mean a platform at or attached to or abutting against the entrance to a building, completely covered by a roof and completely enclosed by a fully intact glass or fully intact screens. Screens are framed wire mesh or framed plastic mesh used to keep out insects and permit airflow.
- (b) "Enforcement" shall mean an officer of the Glasgow Housing Board the Glasgow Police Department and any other person appointed by the mayor to enforce the provisions in the article.
- (c) "Front Yard" shall mean that part of the property whereby the front of the house or structure faces the public street and encompasses that open space extending the full width of the lot, the depth of which is the minimum horizontal distance the front lot line and the nearest point of the main building.
- (d) "Open Storage" shall mean such storage or accumulation which is visible from any public street, alley, or sidewalk or from any adjoining property.

- (e) "Owner" shall mean the actual owner, agent or custodian of the property, which individual or partnership association, corporation or other entity of any other kind.
- (f) "Person" shall mean an individual, partnership, association, corporation, or any entity of any other kind.
- (g) "Yard" shall mean any open, unoccupied space, other than a court, unobstructed from the ground to the sky, on a lot on which a building is situated

13.2.4 **PROHIBITED ACTS.**

No person in any residentially zoned district shall store, open store, collect, park, leave, deposit, maintain, reserve, put aside for future use, permit allow, or suffer to remain on any porch, balcony, roof, or in a yard or front yard except in a completely enclosed building or structure, any:

- (a) Lumber or other building materials except those related to projects for which a valid building permit has been issued. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating and cooling materials or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used for construction. Exception to this section is firewood for the personal use of the resident.
- (b) Equipment or materials used in the construction trades.
- (c) Upholstered furniture, mattresses, materials and other similar products not designed, built and manufactured for outdoor use unless such is in an enclosed porch or balcony. Items intended for outdoor usage may be allowed to occupy the front yard if they are located entirely upon porches, decks, balconies and patios within the front yard allowed only if accompanied by the user but may not remain in such front yard overnight with the exception of items intended and designed for outdoor decoration purposes.

13.2.5 **EXCLUSIONS.**

shall not apply to the storage or placement on the premises of the following material(s):

- (a) Wood intended for consumption in a wood burning stove, furnace or fireplace located in a building on the premises.
- (b) Lawn, yard or garden ornaments and implements.
- (c) Lawn and patio furniture.
- (d) Standing fences.
- (e) Hoses and sprinklers used for watering lawns and gardens.
- (f) Storage or placement and accumulation of materials in connection with a commercial operation duly conducted on the premises where such storage, placement and accumulation are expressly permitted by the Town of Glasgow.
- (g) Construction materials and equipment used for the construction or renovation of a building on the premises for which a valid building permit has been issued.

13.2.6 **ENFORCEMENT.**

- (a) Enforcement Officer. This law may be enforced by an individual duly appointed by the Town of Glasgow. Said person(s) shall have the authority to enforce the provisions of this article and to inspect premises within the Municipality as necessary for said enforcement. The enforcement officer shall make periodic inspections of the Town of Glasgow to ensure that the requirements of this law are met.

- (b) Complaints. Any person may file a complaint with the Town of Glasgow that a violation of this article may have taken place. The complaint shall be forwarded to an enforcement officer who shall properly investigate the complaint. The enforcement officer may also investigate any alleged violation that he or she has reason to believe has occurred or is occurring. If a violation of this article is found to exist by the enforcement officer, a "Notice to Comply" shall be issued to said violator, giving the violator ten (10) days to comply with this article.
- (c) Notice to Comply. The written "notice to Comply" shall contain the following information and shall be served in accordance with the laws of the State of West Virginia concerning service of process:
- (1) The name of the owner or occupant to whom the notice shall be addressed;
 - (2) The location of the premises involved in the violation;
 - (3) A statement of the facts which allegedly violate this article;
 - (4) A demand that the junk be removed or placed so as to be in compliance with the law within ten (10) days after the service of the notice;
 - (5) A statement that failure to comply shall result in a fine and/or prosecution;
 - (6) A copy of the article violated;
- (d) If the violation continues beyond the ten (10) day period, the enforcement officer is hereby authorized to issue a citation or summons to appear to any person whom the enforcement officer has reason to believe has violated this article, and shall cause such person to appear before the Municipal Court of the Town of Glasgow for a hearing on the charges.

13.2.9

PENALTY

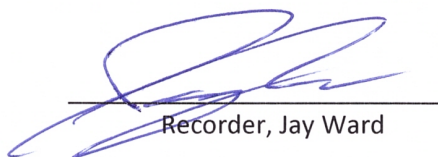
Any person found to be guilty of violating any of the provisions of this article shall be subject to a fine of not more than five hundred dollars (\$500.00) and /or thirty (30) days in jail. Each day's continued violation shall constitute a separate offense.

First Reading: 12/19/22

Second Reading: 1/5/2023



Mayor, Donald Fannin



Recorder, Jay Ward

References: City of Dunbar