

CHAPTER 10

HIGH WEEDS AND GRASS

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8-1000. Intent. It is the intent of this chapter to prohibit the accumulation of grass and weeds which shall threaten or endanger the public health, safety or welfare so as to constitute a nuisance. The owner, occupant, tenant, or agent or designee of any owner or occupant of said premises where the violations occur shall be jointly and severally liable for any violations of said chapter and shall jointly and severally be liable for the penalty provisions provided under the terms and conditions of 8-1005, 8-1006, and 8-1007.

8-1001. Definitions.

- A. Grass: Any of numerous plants of the family graminea.
- B. Weeds: Any of a various commonly or abundantly growing plants.

8-1002. Prohibited Acts. The following acts shall be prohibited:

- A. Grass and Weeds. No owner of any lot, place, or area within the City, or the agent of such owner, shall permit any developed lot, place or area, or any undeveloped lot, place or area, within one hundred fifty (150) feet of any street, residential, or commercial property, the growth of any Grass or Weeds of height in excess of twelve (12) inches measured from the base of the Grass or Weeds at ground surface level.
- B. Acts of Nuisance. Acts of nuisance shall include, but are not expressly restricted to:
 - (1) The owner, occupant, or agent of any owner or occupant, of any lot, parcel or area within the City permitting or allowing any offensive or unsafe matter to grow, accumulate, or otherwise occupy and remain upon such lot, parcel or area.
 - (2) The owner, occupant, or agent of any owner or occupant, of any lot, parcel or area in a residential area within the City allowing Grass or Weeds as defined in 8-1001 to accumulate and remain upon the premises as a possible harborage for rats, snakes, or other vermin.
 - (3) The owner, tenant, or occupier of any real property located within the corporate limits of the City of Paris or any agent, servant, or employee of such owner, tenant, or occupier placing, throwing, depositing or discharging any soil, sand, mud, gravel, dirt, grass clippings, weeds, leaves, limbs, or any other such mineral or vegetation waste from said real property onto any of the streets, gutters, or storm drains within the corporate limits of the City of Paris.

8-1003. Enforcement. The Building Inspector and/or Health Officer is hereby authorized and empowered to investigate and order the correction of any violations of the terms and conditions of this ordinance,

8-1004. Notice to correct violations. If any owner, occupant, tenant, agent, or designee is determined by the Building Inspector and/or Health Officer to be in violation of 8-1002 it shall be the duty of the Building Inspector and/or Health Officer to serve a Notice by one or more of the following methods: (1) Certified mail to the last known address of any person or persons having ownership, possession, or control over the offending property; (2) Personal service of the Notice to the owner, possessor, or occupant; or (3) Posting the Notice in a conspicuous place on the property at which the violation exists. The Notice shall set forth the following: (1) the text of 8-1002; (2) the corrective requirements necessary to bring the offending property into a state and/or condition which is not in violation of 8-1002; and (3) that said corrective action shall be taken within seven (7) days from the receipt of said notice or posting.

8-1005. Action in the event of noncompliance.

- A. Upon the failure of any owner, possessor, or occupant, of real property which is in violation of this ordinance to correct said violation(s) within seven (7) days from receipt or posting of the Notice, the Building Inspector and/or Health Officer is authorized and directed to correct such violation(s). A statement of the costs for such correction shall be prepared and filed by the City Recorder for collection. The cost to said owner, possessor, or occupant, shall be billed at a designated hourly rate to be determined by the City Manager based upon the hourly cost of personnel and equipment used in said removal, or any actual cost for such private services which were contracted for by the City, but in no case shall said charge be less than Sixty Dollars (\$60.00) for the first offense, Ninety dollars (\$90.00) for the second offense, and One-Hundred Twenty dollars (\$120.00) for the third and each additional offense thereafter within a calendar year. Administrative costs shall be billed in addition to hourly costs. The costs and expenses incurred by the City under the provisions of this section shall be billed to the owner of said property. If said charges have not been paid by such owner within thirty (30) days after the date of billing, then the provisions of 8-1006 shall apply.
- B. In addition to the enforcement provisions provided in A. above, the Building Inspector and/or Health Officer may cite the owner, possessor, or occupant into City Court as provided in 8-1007 for action by the City Judge to require alleviation of the violations of this Chapter as determined by the building inspector and/or health officer.

8-1006. Collection of unpaid costs. Where the full amount due the City pursuant to 8-1005 is not paid by the offending property's owner within thirty (30) days after billing for the work required under the provision of this ordinance, then in that case, the Building Inspector shall cause to be recorded in the Register's Office of Henry County, Tennessee, a sworn statement showing the costs and expenses incurred by the City or the costs and expenses incurred on behalf of the City, for the work, the date on which said work was done, and the property on which said work was done. The recordation of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due, plus court costs, attorney's fees, and any other costs of collection, until final payment has been made; said costs and expenses shall be collected in the manner fixed by law for the collection of taxes and, further, shall be subject to a delinquent penalty of eighteen percent (18%) per annum in the event same is not paid in full on or before the tax bill on said property is due and payable. Sworn statements recorded in accordance with the provisions hereof shall be prima facie with the evidence that all legal formalities and been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of this statement, plus delinquent penalty and other costs and expenses, constitute a charge against the property designated or described in the

statement, and that the same is due and collectible as provided by law. When placed in the hands of the City Attorney for collection, thirty-three percent (33%) of the unpaid charges for such costs incurred by the City shall be added to the principal and interest for the attorney's services in making such collections and, upon payment, said thirty-three percent (33%) shall be retained by the City Attorney.

8-1007. Violations – Misdemeanors – Penalties. Any violation of any section of this chapter upon conviction shall be punished by a fine of not less than or more than fifty dollars (\$50.00), and such fine and costs shall not be forgiven, deferred, suspended, or waived by the City Judge. Such assessment of fines and costs shall be deemed to be in addition to the cost and expenditures charged the property owner and assessed against the property in the event of non-payment as provided in 8-1005. After the notice periods provided in 8-1004 and 8-1005 have expired, where applicable, each day such violation is allowed to continue to exist shall be considered an individual violation and shall constitute a separate misdemeanor offense under this section. The City Manager, or his or her designated representative, may, if multiple violations occur pursuant to the provisions of 8-1005, authorize the filing of a separate warrant in City Court for each day such violations are allowed to continue to exist and, upon conviction, any violation of any such section of this chapter shall be punished by a fine for each said violation of not less than nor more than fifty dollars (\$50.00), and such fine, together with the costs of the cause, shall not be forgiven, deferred, suspended, or waived by the City Judge.

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