

Council of the Town of Riverdale Park

Resolution 2010-OR-06

Introduced By: CM Alan Thompson

Date Introduced 5-24-10

Amendments Adopted:

Date Adopted: 6-7-10

Date Effective: 6-27-10

An Ordinance concerning

Repeat Offenses of Chapter 36: GARBAGE, REFUSE, AND TRASH

FOR the purpose of clarifying the amount of time that must pass between repeat citations for violations of Chapter 36, and reducing the amount of time allowed between notification of multiple violations and remediation of the violation by the town.

BY amending Chapter 36
Section 36-15
Code of the Town of Riverdale Park
(January 2008 revision)

EXPLANATORY STATEMENT: Code Enforcement has no guidance from the Code on how often repeat citations for the same or substantially similar violation of Chapter 36 may be issued. Most other chapters of the Code do contain such guidance. As a result, violations of Chapter 36 often persist for weeks despite the best efforts of Code Enforcement. Since the overwhelming majority of offenses can be remedied within one day, the period for repeat citations should be one day for this Chapter, as it is for most other Chapters that specify such a period. Code Enforcement may delay repeat citations for a longer period at its discretion.

§ 36-15. Violations and penalties. (Repealed and replaced 5/23/97.Effective 6/12/97)

(a) Generally

Violations of §§ 36-2 through 36-14 of this chapter are declared to be a municipal infractions, the penalty for which shall be fifty dollars (\$50) for each initial offense and one hundred dollars (\$100) for each repeat offense, which is defined as an identical or substantially similar separate violation committed within thirty (30) days after the initial offense. **Each day that a violation of any provision of §§ 36-2 through 36-14 of this chapter continues shall constitute a separate violation.**

(b) Repeat Violations - Abatement at Owner's Expense

If a property owner has been cited at least two (2) times within a thirty (30) day period for the same or substantially the same conditions which violate any provisions of §§ 36-2 through 36-14, the Town may, through the Mayor or Town Administrator or through a duly appointed agent of the Town, notify the owner of the property in writing to remedy the condition within ((twenty (20))) **Two (2)** days after receipt of such notice. Upon failure to comply with such notice, the Mayor or Town Administrator may employ persons to have the work done, who shall have the right of entering the premises for that purpose. The cost thereof shall be assessed against the owner of the property.

EXPLANATION:

Small Bold Capitals Indicate Matter Added To Existing Law.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

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Adopted: 6/7/10

Approved: 6/27/10

Sara Imhulse, Town Administrator

Vernon Archer, Mayor