

**TOWN OF FREDERICA
ORDINANCE NO. 16-16**

**AN ORDINANCE AMENDING CHAPTER 305 RELATING TO
PROPERTY MAINTENANCE**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN
OF FREDERICA IN COUNCIL MET:

Section 1. That Section 305-4 of the Frederica Code be amended by striking the existing section and substituting in lieu thereof the following:

§305-4 In the event that any owner, occupant or tenant of any premises, or any agent caring for or in charge of the premises within the city shall permit any grass, weeds, underbrush, deleterious or unhealthful growths or other noxious matter to grow to a height of six (6) inches or more as prohibited by this ordinance, then the Code Official shall issue a summons showing a violation of this Article, said summons to be served personally or by certified mail upon the owner, occupant, or tenant of the premises, or any agent caring for or in charge of the premises. The summons shall cite the violation of this Article and shall be accompanied by a letter or a copy of the relevant provisions of the Article stating what corrective action must be taken and shall state the consequences for failure to take such corrective action. The fine shall be as stated in §305-14. In addition, if the violation is not corrected within three (3) days from the date of personal service of the summons or within seven (7) days from the date of mailing of the summons by certified mail, then the Town at the direction of the Code Official may remove the weeds, grass, underbrush, deleterious or other unhealthful growths or other noxious matter growing to a height in excess of six (6) inches or more in violation of this Article and charge the responsible person seventy-five dollars (\$75.00) per hour for such work that must be done to render the property in compliance with this Ordinance. When the owner, occupant, or tenant of any premises, or any agent

caring for or in charge of the premises has received summonses and fails to take corrective action, and the Town has corrected the violation in accordance with this section, then no further notification shall be necessary for the Town to take any further corrective action on any subsequent violations within the following twelve-month period starting from the date of the first corrective action by the Town.

Section 2. That Section 305-7 of the Frederica Code be amended by striking subsections b, c, d and h and reordering the remaining subsections.

Section 3. That Section 305-7 e of the Frederica Code be amended by adding the words “without notifying or making arrangements with the trash removal service provider.”

Section 4. That Section 305-7 of the Frederica Code be amended by adding new subsections to read as follows:

- f. Recycling containers shall not be used as trash cans.
- g. When not at the curb for collection, trash containers shall be stored as stated in the Land Development Ordinance.

Repealer: All ordinances and part of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Effective Date: This ordinance shall become effective thirty days after adoption.

ORDAINED AND ENACTED INTO THE LAW by a majority vote of the Council Members present at a regular session of Frederica Town Council, Delaware on the 19th day of October, A.D. 2016.

First Reading: September 21, 2016

Public Hearing and Second Reading: October 19, 2016

Published: October 24, 2016

William C. Glander

William C. Glander

Mayor

I do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by the Town Council at its meeting on October 19, 2016 at which meeting a quorum was present and voting throughout that the same is still in full force and effect.

Pete W. Fur

SYNOPSIS

This Ordinance amends Chapter 305 by providing fines for excessively tall grass and weeds and modifying rules for trash collection.