

TOWN MANAGER  
Ken Deal

TOWN CLERK  
Pamela Mills

TOWN ATTORNEY  
Tom Brooke



MAYOR  
Lee Withers

TOWN COUNCIL  
Brandon Linn  
Rodney Phillips  
Charles Seaford  
Steve Stroud  
Mike Upright

## TOWN OF CHINA GROVE

### ORDINANCE NO. 2017-13

#### AN ORDINANCE AMENDING CHAPTER 50 STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY ARTICLE III CONTROL OF VEGETATION NEAR STREETS

**BE IT ORDAINED** by the Town Council of the Town of China Grove that the China Grove Code of Ordinance shall be amended with the addition as follows:

#### **Sec. 50-61. - Control of vegetation near streets.**


- (a) ~~Required.~~ No person occupying, owning or having control of property ~~having control of any occupied or unoccupied lot or any part thereof in the town shall permit or maintain on any such lot, or on or along the sidewalk or street adjacent to the lot between the property line and the curb or middle of the alley, or for ten feet outside the property line if there is no curb,~~ any growth of weeds, grass or other rank vegetation to a height greater than 12 inches, or any accumulation of dead weeds, grass or brush. No person shall cause, suffer or allow poison ivy, ragweed or other poisonous or detrimental plants to grow on any such lot or land so that any part of such ivy, ragweed or other poisonous or harmful weed shall extend upon, cover, overhang or border any public place or allow seed, pollen or other poisonous particles or emanations therefrom to be carried through the air into any public place.
- (b) It shall be unlawful for any person occupying, owning or having control of property to allow any form or type of vegetation to remain that obstructs or impairs the visibility of any person operating any type of vehicle, including motor vehicles upon a public street or highway. For purposes of this section, a vehicle or motor vehicle shall be defined as set out in Chapter 20 of the North Carolina General Statutes.
- (c) It shall be unlawful for any person occupying, owning or having control of property abutting on a street or highway to permit the uncontrolled growth of noxious weeds or uncontrolled growth of grass, undergrowth, or other vegetation from his premises into the curb, guttering, or other stormwater drainage channel.
- (d) It shall be the duty of every person occupying, owning or having control of property abutting on a street or highway that utilizes a portion of the unused street or highway right-of-way as a yard or any other use to maintain said right-of-way in the same character and manner as the abutting use.
- (e) It shall be unlawful for any person to blow, place or allow to be placed, or to permit to continue the accumulation of leaves, grass clippings, or any other debris from his premises on a public street, sidewalk, grass strip between a paved sidewalk and street, an area that pedestrians would be expected to use to walk upon parallel to a public street, or within a public right-of-way. This

section shall not apply to the accumulation of leaves along a curbline of a public right-of-way for the purpose of collection by Town of China Grove Public Works employees or private collection contractors.

- (f) It shall be unlawful to plant trees, shrubs or any other type of flora in the rights-of-way of all streets, alleys, avenues, lanes, squares and public grounds.
- (g) *Planting and removal.* The town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines and or rights-of-way of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this 3<sup>rd</sup> day of October, 2017.

  
\_\_\_\_\_  
Lee Withers, Mayor

Attested by:

  
\_\_\_\_\_  
Pamela L. Mills, Town Clerk