

BRENHAM CODE

Sec. 12-27 Cutting weeds and removing rubbish, etc; penalty for failure and/or refusal; property used to make hay.

(a) Should any owner of any lot within the city who shall allow weeds, rubbish, brush, or any other unsightly, objectionable or insanitary matter to grow or accumulate thereon fail and/or refuse to cut down and/or remove such weeds, rubbish, brush, or any other unsightly, objectionable or insanitary matter, as the case may be, within ten (10) days after written notice to said owner to do so or by letter addressed to such owner at his post office address, or within ten (10) consecutive days in any newspaper in the city, if personal service may not be had as aforesaid, or if the owner's address be not known, then the city may do such cutting down and/or removing such weeds, rubbish, brush, or any other unsightly, objectionable or insanitary matter, or cause same to be done and may pay therefor and charge the expenses incurred in doing such work, or having such work done or improvements made, to the owner of such real estate; if such work is done or improvements made at the expense of the city, such expense shall be assessed on the real estate upon which such expense was incurred. The city, in the notice of a violation, may inform the owner by certified mail, return receipt requested, that if the owner commits another violation of the same kind or nature that poses a danger to the public health or safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owners expense and assess the expense against the property.

(b) In addition thereto, in the event any owner of any lot shall not comply with this section after notice, as above provided for, the city manager, director of utilities and services, or their subordinates may file a complaint in the city municipal court. A person shall be guilty of a separate offense for each day or portion of a day during which the violation is committed, continued or permitted, and each offense under this section is punishable by a fine not to exceed two hundred dollars (\$200.00).

(c) All property within the corporate limits of the city which is used for the production of hay shall not be considered a nuisance if said property is a minimum lot size of five (5) acres and maintains a mowed fifty-foot-wide buffer zone adjacent to any property used for residential or commercial purposes.