

TITLE 13

PROPERTY MAINTENANCE REGULATIONS

13-103. Weeds, bushes, shrubs, etc.

(5) (A) **Notice to property owner.** It shall be the duty of the Codes Enforcement and Inspection Division to serve notice upon the owner of record and tenant, if applicable, in violation of subsection (1) above, a notice in plain language to remedy the condition within ten (10) days (or twenty (20) days if the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewage or other materials), excluding Saturday, Sundays, and legal holidays. The notice shall be posted on the property and if the property owner or tenant, if applicable, is known, then sent by certified United States Mail, return receipt requested and by regular United States Mail addressed to the last known address of the owner of record or tenant. The notice shall state that the owner of the property or tenant is entitled to a hearing, and shall, at the minimum, contain the following additional information:

- (1) A brief statement that the owner and/or tenant is in violation of §13-103 of the Smyrna Municipal Code, and that the property of such owner may be cleaned up at the expense of the owner and a lien placed against the property to secure the cost of the clean-up;
- (2) The person, office, address, and telephone number of the department or person giving the notice;
- (3) A cost estimate for remedying the noted condition, which shall be in conformity with the standards of cost in the town; and
- (4) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing before the town manager or his designee.

(B) **Citation to Municipal Court.** The initial notice of violation to the property owner shall serve as notice for the calendar year. The property owner shall be cited to Municipal Court for any subsequent violation under Section 13-103 found by the Codes Enforcement Officer after the initial notice of violation, without further notice. Provisions of 13-103 (5)(B) are applicable only to issuance of citations.