

Town of Brighton Property Maintenance and "Junk Car" Ordinance #07082008-01

WHEREAS, The Town of Brighton seeks to strengthen the municipal regulations in regards to the maintenance of individual properties within the corporate limits, and

WHEREAS, the current property maintenance code, section 108-110 shall be repealed and replaced with this ordinance,

THEREFORE, the Town of Brighton hereby enacts the following,

EXTERIOR PROPERTY AREAS

- 13-108 **Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- 13-109 **Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.
- 13-110 **Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- 13-111 **Duty of property owners.** It shall be the duty of the property owners of all property within the Town of Brighton to keep the sidewalks abutting their property in good repair. The Code Enforcement Department of the Town of Brighton, when in need of repair as authorized by the Board of Mayor and Aldermen, may on its own motion, order the same to be done.
- 13-112 **Notice to repair.** That the order of the Board of Mayor and Aldermen of the Town of Brighton by resolution duly adopted, direct the Building Official of the Town of Brighton or his delegates to serve notice in writing upon the owner, or owners, of the property abutting the improvement to make such repairs as requested within 90 days from the date of notification, such repair to conform to all standards currently adopted and enforced through the subdivision regulations of the Town of Brighton and the Building Codes and other related technical codes.
- 13-113 **Failure to comply.** The Building Official of the Town of Brighton shall report to the Department of Public Works and owner or owners of property abutting the deteriorated sidewalks and/or drive aprons that have failed or who have refused driveway aprons, and the Department of Public Works shall thereupon, request the repair to be done either by its crews or by contract.

- 13-114 **Right of Appeal.** The Board of Mayor and Aldermen shall appoint a committee to hear and determine protest, appeals or hardship cases. The Code Appeals Board shall have the power to waive administrative costs in the event a hardship is proven by the property owner.
- 13-115 **Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of nine (9) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon.
- 13-116 **Landscaping.** Premises with landscaping and lawns, trees and shrubs shall
Be kept trimmed and maintained so as not to imperil public health or safety or cause damage to any structure or premises or utility services.
- 13-117 **Rodent harborage.** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
- 13-118 **Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.
- 13-119 **Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
- 13-120 **Motor vehicles.** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the enclosed structure. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major

overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.