

TOWN OF ST. PAUL, TEXAS

ORDINANCE NO. 36

AN ORDINANCE OF THE TOWN OF ST. PAUL, TEXAS,  
PROHIBITING TALL WEEDS AND GRASS, BRUSH AND  
UNSANITARY MATTER: PROVIDING FOR NOTICE TO  
VIOLATORS; PROVIDING FOR ASSESSMENT OF LIEN  
AGAINST VIOLATORS; PROVIDING A PENALTY NOT TO  
EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH  
VIOLATION; PROVIDING A SEVERABILITY CLAUSE AND  
EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ST. PAUL, TEXAS  
THAT:

SECTION 1: TALL WEEDS AND GRASS

A. TALL WEEDS AND GRASS, BRUSH AND UNSANITARY MATTER  
PROHIBITED

- (1) It shall be unlawful for any owner and/or occupant of any lot or premises in the city to allow or permit weeds and/or grass to grow in excess of twelve inches (12") in height, excepting croplands, or to grow in rank profusion on such lot or premises, or permit rubbish, brush, or other objectionable, unsightly, or unsanitary matter what-soever to grow, accumulate, or remain on any property.
  
- (2) It shall be unlawful for any person, owner, agent, and/or occupant of any lot, tract, parcel of land or portion thereof, occupied or unoccupied, within the city limits to permit weeds and/or grass to grow along the sidewalk or street adjacent to the same between the property line and the curb or if there is no curb line, within ten feet (10') outside that property line to a height exceeding twelve inches (12") on an average or to grow in rank profusion upon said lot or premises or to permit rubbish, brush, or other objectionable, unsightly, or unsanitary matter whatsoever to grow, accumulate, or remain thereon.

B. DUTY OF OWNER TO ABATE TALL WEEDS OR GRASS; NOTICE

It shall be the duty of any person, owner, agent, and/or occupants of any lot or premises within the city limits to remove or cause to be removed, all such weeds and/or grass, rubbish, brush, or other objectionable, unsightly, or unsanitary matter as may be necessary to comply with these provisions hereof. And whenever any such condition as described in subsection A hereof, is found to exist on a lot or premises within the city, the person, owner, agent and/or occupant shall be notified in writing to correct, remedy, or remove the condition within ten (10) days after such notice is given. Such notice shall either be served personally or by registered mail with a return receipt requested to the last known address of the owner.

If the notice is returned undelivered by the U. S. Postal Service, official action to abate said violation shall be continued to a date not less than ten (10) days from the date of such return.

C. CITY MAY ABATE NUISANCE; ASSESSMENT OF LIEN

In the event the person, owner, agent, and/or occupant of any lot or premises upon which condition described in subsection A. is not corrected, remedied, or removed within ten (10) days after notice to do so is given, the city may do such work at the expense of the city on the account of owners of said premises and pay therefore and charge the expenses incurred to the owner of such lot upon which such expenses are incurred. The doing of such work by the city shall not relieve the owner and/or occupant of said lot(s) or premise(s) from prosecution for failure to comply with such notice for violation of subsection A and B.

D. FILING OF STATEMENT OF EXPENSES

Whenever any work is done by the city under the provisions of this ordinance, the city secretary, on behalf of the city, may file a statement of the expenses incurred thereby with the county clerk of Collin County. Such statement shall give the amount of such expenses the name of the owner of such lot or premise, a description of such lot or premise, and the date or dates on which such work was performed and the city shall have a privileged lien. Such lien shall bear ten percent (10%) interest per annum from the date said statement of expenses was filed. It is further provided that for any such expenditures, and interest as aforesaid, suit may

be instituted and recovery and foreclosure of said lien may be had in the name of the city and the statement of expenses so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended for such work or improvements.

E. CITY NOT TO BE HELD LIABLE

Neither the city nor any authorized agent acting under the terms of this ordinance shall be liable or have any liability by reason of orders issued or in the abatement of any such violations in compliance with the terms of this ordinance. .

F. PENALTY FOR VIOLATIONS

Any person who fails to comply with or violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than two hundred dollars (\$200.00), and each and every day of such violation shall be a separate and complete offense.

G. SEVERABILITY

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

H. EFFECTIVE DATE

This ordinance will take effect immediately from and after its passage and publication as the law in such cases provides.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_,  
**1986, by the Town Council of the Town of St. Paul, Texas.**

**APPROVED:**

\_\_\_\_\_  
\_\_\_\_\_  
**Mayor Allen**

**ATTEST:**

\_\_\_\_\_  
**City Secretary Pockrus**