

ORDINANCE NO. 2017-

AN ORDINANCE AMENDING CHAPTER 54 OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY ENTITLED "HEALTH AND SANITATION" BY AMENDING SECTION 54-33 ENTITLED "ACCUMULATIONS OF RUBBISH OR GROWTH OF WEEDS" TO CLARIFY REQUIREMENTS FOR GROUP HOMES; PROVIDING FOR CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That the Code of Ordinances is hereby amended to AMEND Section 54-33. entitled *Accumulations of Rubbish or Growth of Weeds*, to read as follows:

Sec. 54-33. Accumulations of Rubbish or Growth of Weeds.

- (a) It shall be unlawful for any person who owns or occupies any lot or other premises in the city to allow rubbish, brush or any other unsightly, objectionable, or unsanitary matter to accumulate on or be carried by wind or rainwater from such lot or premises.
- (b) It shall also be unlawful for the owner or occupant of any lot or premises in the city to allow or permit the growth of weeds over a height of 12 inches on such lot or premises, or any contiguous, unpaved portion of a right-of-way in the city that is open for public travel. If the contiguous, unpaved portion of a right-of-way contains a ditch, the city manager or his designee is authorized to order the ditch to be mowed by city personnel or contractor, upon making the following findings: (1) that maintaining the ditch is not the responsibility of a homeowners' association, special purpose district, or similar entity; and (2) characteristics of the ditch render mowing by said owner or occupant unusually hazardous, including depth, steepness of the sides, continual presence of standing water, lack of safe and easy access by the owner/occupant, and location along a roadway with high traffic volume.
- (c) The owner of undeveloped cleared land adjacent to developed areas shall be exempt from the 12-inch rule contained in subsection (b) of this section; however, a strip with a minimum width of 100 feet shall be mowed/maintained in compliance with that 12-inch rule between the developed and undeveloped areas. Additionally, a strip with a minimum width of 50 feet shall be mowed/maintained in compliance with that 12-inch rule along all adjacent roadways. Undeveloped land that has not been cleared of trees shall be cleared of all brush and undergrowth for a minimum distance of 50 feet where adjacent to developed areas and a minimum distance of 20 feet along all adjacent roadways.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective ten (10) days after its passage.

PASSED first reading the ____ day of _____, 2017.

PASSED second reading the ____ day of _____, 2017.

PASSED AND ADOPTED the ____ day of _____, 2017.

PAT HALLISEY
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney