

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: September 13, 2022

## Item Details

Presenter(s): Brian Meyer, Joe Curtin, Trevor Johnson

Department(s): Legal; Planning

### Requested Motion

Public hearing and possible motion to adopt an ordinance amendment to Chapter 10, Article I of the Town Code.

### Approval Recommended?

Yes

### Item Details

Section 10-1 of the Town Code governing the cleanliness of premises is limited in scope to only apply to those conditions on property in which the accumulation of materials outdoors constitutes a fire hazard. This limitation does not adequately address the public nuisances that may exist within the town. The ordinance as amended would prohibit in or on open yard areas the placement, accumulation, or storage of litter, junk, trash, manmade materials, or hazardous waste. It would also prohibit in open yards the placement or storage of furniture, appliances, household goods, or equipment that is not designed to be stored outdoors. Such situations would be declared to be public nuisances. The amended ordinance excepts patio furniture and recreational equipment that is appropriate for outdoor use. Lastly, the amended ordinance would update and clarify the regulation of accumulated weeds, overgrown grass, and undergrowth by identifying acceptable lengths and public nuisance conditions, and would require more frequent cutting of vacant lots.

Since Council's initial consideration, the amended ordinance has been revised to include gender neutral language and to provide authority to the Town Manager to waive or reduce assessed civil penalties up to \$10,000. It also limits the prohibition on overgrown grass to turfgrass, thereby permitting longer growth of grass species used for ornamental or pollination purposes. This language was reviewed by the Bee City

Committee. Finally, the revised language also creates an exception for grass grown for feeding permitted livestock.

Attachments

- Ordinance Amendment to Chapter 10

