

## ORDINANCE NO. 733

### AN ORDINANCE TO AMEND THE TOWN OF DENTON PROPERTY MAINTENANCE CODE CONTAINED IN CHAPTER 94 OF THE DENTON TOWN CODE WITH RESPECT TO PROPERTY MAINTENANCE.

WHEREAS, MD CODE ANN Local Government Article Section 6-101, *et seq.*, confers upon municipalities the power to make reasonable regulations concerning buildings, including the adoption of a building code; and

WHEREAS, by Ordinance No.726, the Denton Town Council adopted the 2021 Edition of the International Property Maintenance Code, which is incorporated into Denton Town Code, Chapter 94;

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE DENTON TOWN COUNCIL AS FOLLOWS:

SECTION 1. The Denton Town Code, Chapter 94 is hereby amended as set forth herein.

#### SECTION PM 302 EXTERIOR PROPERTY AREAS

Section PM 302.1, Sanitation, is amended by the additions of the new subsections to read as follows:

**PM 302.1.1 Accumulation of rubbish is prohibited.** No person shall allow rubbish as defined in Section PM 202 to remain, to be deposited, or to accumulate, either temporarily or permanently, on his or her property. This section shall not apply to those persons who store such rubbish in a lawfully permitted manner for the purpose of regular municipal collection in accordance with Chapter 64, Garbage and Trash, of the Denton Town Code. Eviction refuse as defined by PM Section 202 shall be in accordance with Section PM 304.2, and the provisions and regulations shall apply herein.

**PM 302.1.1(a) Notice.** The Code Official is hereby authorized to notify the owner of the property in accordance with Section PM 107 to remove or properly dispose of the rubbish from the subject property in 10 calendar days.

**PM 302.1.1(b) Authority of the Town to remove rubbish.** Upon the failure, neglect, or refusal of any owner so notified as provided for in Section ~~PM 106.5.2~~ **PM 107.2**, in the time established by Section ~~PM 106.5.1(a)~~ **PM 302.1.1a**, the Code Official is hereby authorized and empowered to cause such condition to be corrected by removing and disposing of such rubbish or to order its disposal by the Town of Denton Department of Public Works.

**PM 302.1.1(c) Cost and expenses.** When the Town has removed such rubbish by its own employees or has paid for the removal of such rubbish by its agents or contractors, the actual costs thereof and any related expenses, including an administrative fee, in accordance with Section PM 106.4.

**PM 302.1.1(d) Appeal procedure.** The owner(s) and/or tenant(s) of a property aggrieved by any civil penalty imposed pursuant to Section ~~PM 106.5.1~~ **PM 106** shall be in accordance with PM Section PM 111, Means of appeal.

**SECTION 5.** This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force seven (7) days from and after the date of its final passage and adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022

DENTON TOWN COUNCIL:

\_\_\_\_\_  
Abigail W. McNinch, Mayor

\_\_\_\_\_  
Lester L. Branson, Council Member

\_\_\_\_\_  
Dallas Lister, Council Member

\_\_\_\_\_  
Walter Keith Johnson, Council Member

\_\_\_\_\_  
Doncella Wilson, Council Member

ATTEST/WITNESS:

\_\_\_\_\_  
Karen L. Monteith,  
Clerk Treasurer

Approved for legal sufficiency this \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Christopher Drummond, Town Attorney

Date Introduced \_\_\_\_\_  
Date Amendments Introduced \_\_\_\_\_  
Date Passed \_\_\_\_\_  
Effective Date \_\_\_\_\_

Text that is stricken reflects language omitted from the Town Code  
Text in **bold** and *italicized* reflects additions to the Town Code