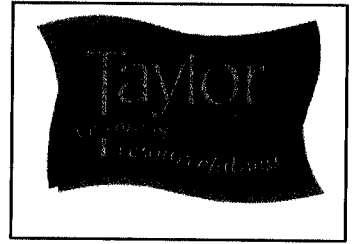




**October 25, 2004
City Council Meeting
Agenda Item Submittal Request**



Agenda Item #:

Department: Community Development

Resolution / Ordinance #

Agenda Title: Large Lot Code Enforcement Policy

1. INTRODUCTION/PURPOSE

The purpose of this agenda item is to discuss and provide staff with guidance on the code enforcement policies relating to large lots (greater than five acres).

2. DESCRIPTION/ JUSTIFICATION

Background

In February of 2003, the City adopted ordinance 2003-4. This ordinance established criteria for grass heights, tree trimming, tracts of land greater than five acres, and land used for agricultural purposes.

Essentially, for lots larger than five acres, a ten-foot strip must be maintained between it and any property developed as single family and a 25-foot strip must be maintained from the pavement of any public roadway.

Issues and Analysis

A case on Gravel Pit Road has challenged us in the enforcement of the Large Lot policy. In that case, the estimated cost of the clean up along the perimeter of the property is \$6,000. This will create a financial hardship on the property owner, who lives on the five-acre tract, and poses a financial challenge to the City to pay for it and file the lien.

3. FINANCIAL/BUDGET

Approximately \$6,000 to clean up the property and file the lien. The budget in this line item is \$24,000.

4. RECOMMENDATION

Please let me know if you have any questions or concerns by calling me at 512-352-5990 x 16 or contact me via email at bob.vantil@ci.taylor.tx.us.

APPROVED FOR SUBMITTAL

DEPARTMENT HEAD: (ss) R.W. VAN TIL DATE: 10/22/04

CITY MANAGER: _____ DATE: _____

ORDINANCE NO. 2003-4

**ORDINANCE AMENDING ORDINANCE 74-10 REGARDING
NUISANCES CREATED BY WEEDS, TALL GRASS,
UNDERBRUSH, MUNICIPAL POWER CONCERNING
STAGNANT WATER AND OTHER UNSANITARY CONDITIONS,
AND PROVIDING A SAVINGS CLAUSE.**

WHEREAS, the Taylor City Commission passed Ordinance 74-10 that adopted the provisions of Article 4436 of Vernon's Annotated Texas Statutes as it existed then and as thereafter amended, that is now Section 342.001 to 342.007 of the Health and Safety Code; and

WHEREAS Ordinance 74-10 authorized municipal powers to the City to regulate stagnant water, and other unsanitary conditions, and require the owners of a lot in the City to keep the lot free from weeds, rubbish, brush and other objectionable, unsightly and unsanitary matters; and

WHEREAS, the City Council desires to add definitions to the Ordinance, exempt property from the Ordinance under certain circumstances; and

WHEREAS, the amendment will be in the best interest of public health, safety and general welfare of the citizens of Taylor.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, that:

SECTION 1. PREAMBLE

All of the facts recited in the preamble to this Ordinance are hereby found by the City Council of the City of Taylor, Texas, to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. DEFINITIONS.

Whenever in this Ordinance the following terms are used, they shall have the following meanings:

"Agricultural Purpose" shall mean any tract of land that is used primarily for the growing of crops and the grazing of livestock but does not include any retail sales on the premise.

"Parkway" shall mean the property located between the property line and the edge of the pavement of a public thoroughfare.

"Underbrush" shall mean any tree, bush, or shrubbery that is either native or introduced to the area, but excluding any brush that has a central trunk with a diameter of six (6) inches or more measured twenty-four (24) inches from the ground.

~~add def of grass~~
~~grass~~
SECTION 3. PROHIBITED.

Sections One and Two of Ordinance 74-10, which Sections are Section 18-26 in "The Taylor City Code", are amended to read as follows:

All persons who own, occupy or possess ^{the} any real property and premises shall keep the premises mowed, and shall keep such property reasonably free of ~~noxious~~ weeds, tall grasses and underbrush. No grass ^{can} exceed twelve (12) inches in height, ~~and~~ ^{no} underbrush cannot exceed eighteen (18) inches in height. Trees must be trimmed so that the canopy is no closer than seven (7) feet to the natural ground, and no closer than twelve (12) feet above the top of the curb or edge of pavement. It shall be unlawful for the owner or occupant of any real estate or improvements thereon situated to permit stagnant water to remain upon said property or to permit any condition thereon as may be liable to produce disease or to permit any filth, carrion or other impure or unwholesome matter of any kind to accumulate, collect or remain in any house, building, establishment, lot, yard, parkway, or ground within this city or to permit any other objectionable unsightly or unsanitary matter of whatever nature to grow, collect, accumulate or to remain on any lot or parkway in the city except as provided by Section 18-30 and 31.

SECTION 4. EXEMPT PROPERTY.

Ordinance 74-10 is amended to add the following provision as 18-30 in the Ordinance and the Taylor City Code:

Property is exempt from the provisions of this Ordinance if (i) the lot is greater than 5 acres or the sum of the contiguously owned lots are greater than five (5) acres or (ii) if the property is used for agricultural purposes (crop products or livestock grazing) or (iii) the grass is being cultivated for agricultural purposes, provided that in (ii) and (iii) an agriculture property tax exemption exists for the property.

SECTION 5. ADDITIONAL CRITERIA FOR EXEMPT PROPERTY.

Ordinance 74-10 is amended to add the following provision as 18-31 in the Ordinance and in the Taylor City Code:

In addition to the requirements necessary for exempt property set out in Section 18-30, the owners of any exempt lot or property must maintain a strip of land at least 10 feet wide in compliance with section 18-26 from any property line adjacent to any property developed

with single family dwellings; and a minimum of twenty-five (25') feet from the edge of any street or pavement of a public thoroughfare.

SECTION 6. AMENDMENTS.

Ordinance No. 74-10 amended as previously passed is hereby amended by this Ordinance. Except as amended, Ordinance 74-10 shall remain as written and in full force and effect.

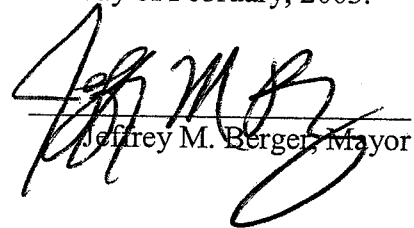
SECTION 7. SAVINGS.

If any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of this Ordinance which shall remain in full force and effect.

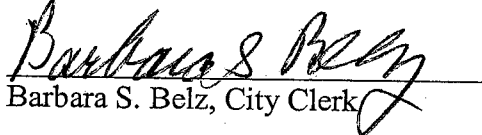
SECTION 8. INTRODUCTION.

In accordance with Article 8 of the City Charter, this Ordinance was introduced before the City Council of the City of Taylor, Texas, on the 28th day of January, 2003.

PASSED, APPROVED and ADOPTED on this the 13th day of February, 2003.


Jeffrey M. Berger, Mayor

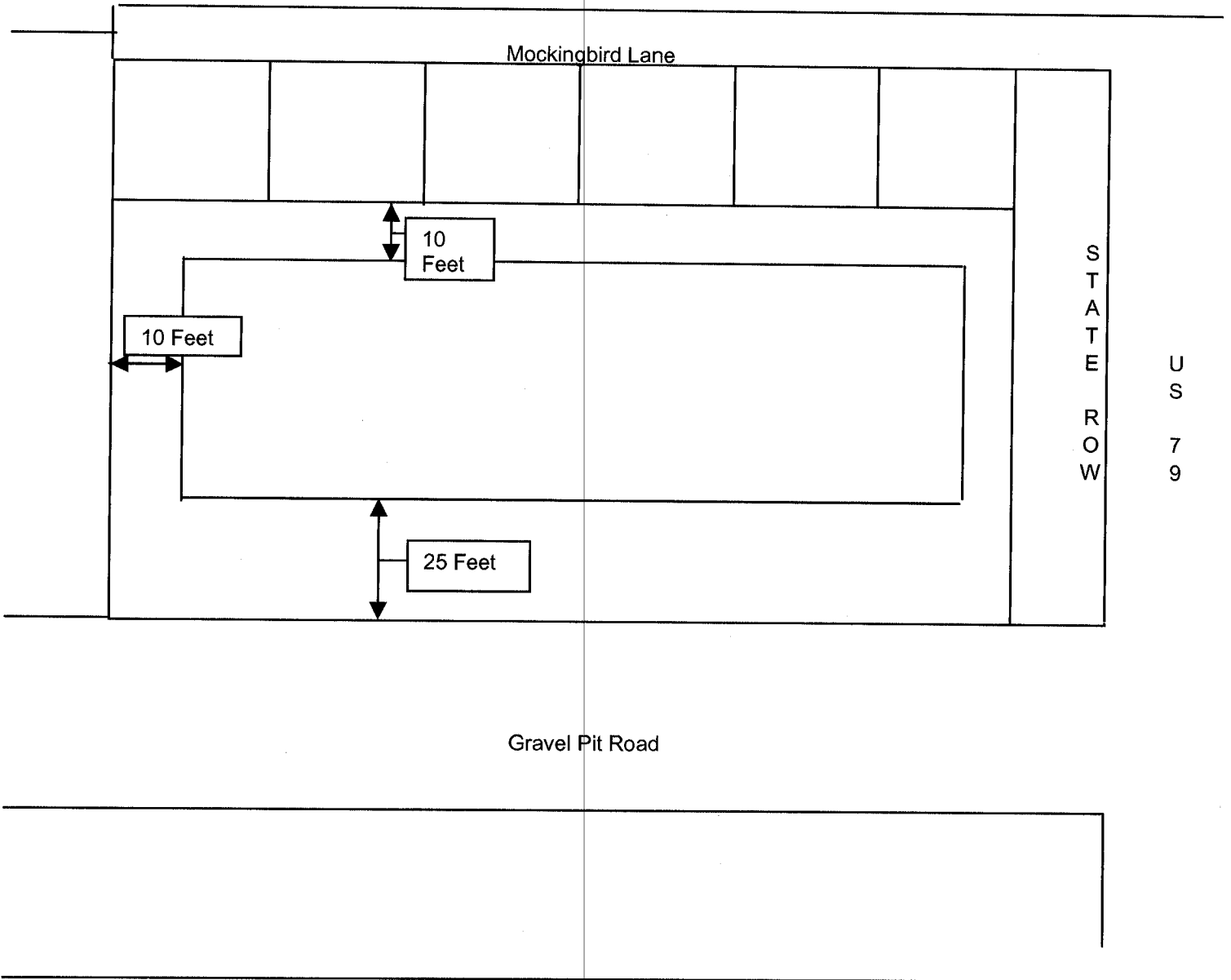
ATTEST:


Barbara S. Belz, City Clerk

APPROVED AS TO FORM:


Ted W. Hejl, City Attorney

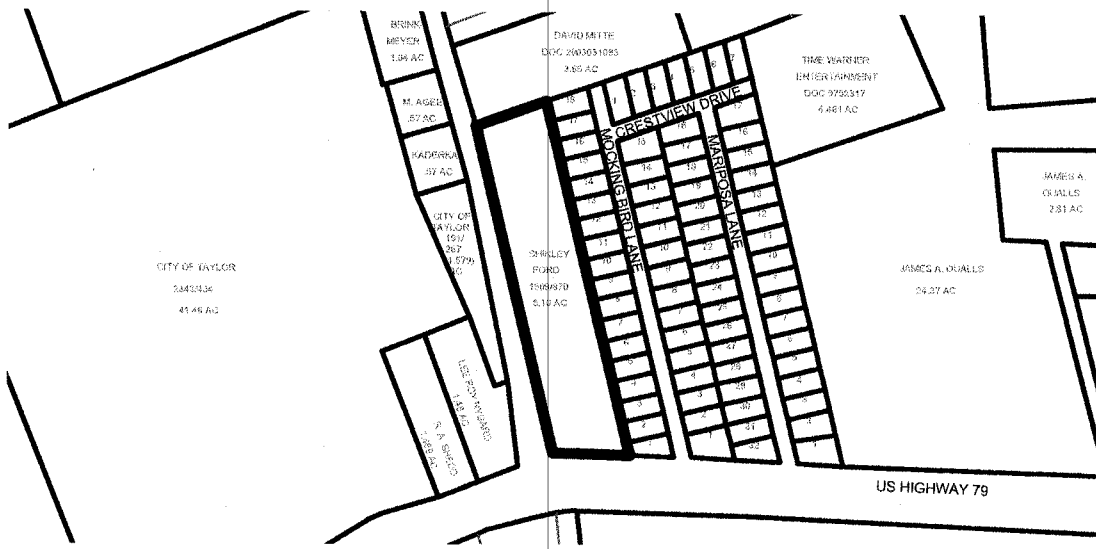
Ford Property – Gravel Pit Road



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Ordinance 2003-4 requires that all property greater than 5 acres must maintain a 10-foot strip of land from any property developed with single-family dwellings and a minimum of 25 feet from the edge of any street or pavement of a public thoroughfare. The grass in this "buffer area" must be no more than 12 inches deep and trees in this "buffer" area must be trimmed to no closer than 7 feet to the natural ground.

In the Spring of 2003, we asked Mr. Leschber to give us a quote to bring the property into compliance. His quote was approximately \$6,000.



Property Desc | Owner | Jurisdiction | Value | Sales | Improvements | Land

Property Description

Tax ID:	Real Estate R018944 R-13-3000-0305-31603
Situs Address	500 GRAVEL PIT RD TAYLOR, TX 76574
Legal:	AW0131 COURSEY, P. SUR., ACRES 5.000

Owner

Owner Address	Percent Owned
FORD, S JUNE 500 GRAVEL PIT TAYLOR, TX 76574	100%

Taxing Jurisdictions

Entities	Exemptions
<ul style="list-style-type: none"> • Williamson CADCity of Taylor (CTA) • Williamson CO(GWI) • Wmsn CO FM/RD(RFM) • Taylor ISD(STA) 	<ul style="list-style-type: none"> • HOMESTEAD(HS) • OVER 65(OA)

Value

Appraised Value	
Type	Value
Improvement (HS + NHS)	(\$0 + \$8,003) \$8,003
Land (HS + NHS)	(\$0 + \$50,000) \$50,000
Total Market	\$58,003

Assessed Value	
Assessed Value:	\$58,003
Last Year's Assessed Value:	\$37,933

Sales

Deed Date	Deed Book	Deed Page	Deed Type
3/20/1987	1509	870	Not avail.

Improvements

ID	Type	Year Built	Area (sqft)	Appraised Value
1	A1 - Residential Single Family			\$8,003
1	Main Area	1900	1,170 sqft	\$8,003
2	A2 - Residential Mobile Home			\$0
1	Main Area	1970		

Land

Type	HomeSite	Size	Frontage / Depth (ft)	Unit Price	Market Value
Residential	True		/	\$30,000.00 / Lot	\$30,000
Residential	True	4.00 acres.	/	\$5,000.00 / Acreage	\$20,000

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