

Sec. 38-113. Weeds, grass, and other foreign growth on vacant, developed, or undeveloped property.

(a) *Owner's responsibility to abate.* The owner of vacant, developed, or undeveloped property in the town shall cut the grass, weeds, and other foreign growth on the property within 200 feet of an improved right-of-way or property line adjoining a developed lot whenever such grass, weeds and other foreign growth have reached a height of 12 inches or more.

(b) *Service of notice; deadline for abatement.* Upon information that grass, weeds, or other foreign growth exist in violation of this section, the Town Manager or designee shall cause written notice to be served to the owner of the property. The notice shall require such owner to cut the grass, weeds, and other foreign growth within ten days after receipt of such notice.

(c) *Failure of owners to comply; abatement by town.* If the owners of such lands fail to comply with the initial notice in the time allowed, the Town Manager or designee shall send a second notice by certified mail establishing a date ten days after the receipt of the second notice that the work required to cut the grass, weeds, and other foreign growth shall be completed by the owner. If the owner does not complete the work within the ten days, the Town shall have the right to complete the work immediately thereafter, at the owner's expense.

(d) *Notice by town to owner of abatement; collection of costs and expenses; lien.* If the town has cut the grass, weeds, and other foreign growth on such land, the owner shall be notified that the town has done so and shall be given an itemized statement of the costs and all associated expenses, including interest that shall accrue at the judgment rate established by the Code of Virginia Section 6.1-330.54, as amended from time to time, by certified mail. If the sum due to the town has not been paid within 15 days from receipt of such notice, the Town Manager is authorized to distrain therefor goods or chattels within the town to collect the sum due, or to treat the unpaid sum as a lien against the property superior to the interests of any owner, lessee or tenant, and next in succession to the municipal real estate taxes thereon, as provided in subsection (e) of this section, and to add the charges and expenses to the amount due for the current municipal real estate taxes on such property.

(e) *Rank of lien; enforcement.* Every charge authorized by this section with which the owner and lienholder of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Code of Virginia, §§ 58.1-3940 et seq. and 58.1-3965 et seq.