

ORDINANCE 2025-04

A RESOLUTION/ORDINANCE TO ADOPT *CHAPTER 30, NUISANCE ABATEMENT*

RECITAL

The Mayor and Council have determined that it is in the best interests of the citizenry of the Town of Keedysville to adopt a nuisance abatement ordinance and toward that end find it in the best interests of the citizenry of the Town of Keedysville to enact the new *Chapter 30* to the *Code of Ordinances of the Town of Keedysville* entitled *Nuisance Abatement* in accordance with attached **Exhibit "A"** which is incorporated herein by reference.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED as follows:

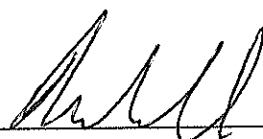
1. The **RECITAL** is made a part hereof and incorporated herein by reference
2. *Chapter 30, Nuisance Abatement* be and is hereby **enacted and adopted** as set forth in **Exhibit 'A'** which is attached hereto and incorporated herein by reference.

ATTEST:

**MAYOR AND COUNCIL OF
KEEDYSVILLE**



Lisa Riner, Town Administrator



Kenneth Lord, Mayor

Date of Introduction: 06/04/2025

Date of Passage: 07/02/2025

Effective Date: 07/22/2025

EXHIBIT "A"

CHAPTER 30

Nuisance Abatement

§ 1 Title.

This article shall be known and may be cited as the "Town of Keedysville Nuisance Abatement Ordinance."

§ 2 Declaration of policy.

It is hereby declared and ordained by the Mayor and Council of the Town of Keedysville to be the public policy of the Town to preserve, protect, and improve the aesthetic nature of the community and to prevent and prohibit conditions existing which shall be detrimental to the property of others or which cause substantial diminution in the value of properties in the Town.

§ 3 Definitions.

As used in this Article III, the following terms shall have the meanings indicated:

NUISANCE

Any condition or use of a premises or property which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of property in the neighborhood in which such premises is located. For purposes of this article, such a condition includes, but is not limited to, uncontrolled weeds, grasses or other vegetation (hereafter referred to as "weeds") on the premises and the keeping, maintaining or depositing on or scattering over the premises of any trash, debris, rubbish, garbage, weed cuttings, furniture, appliances, construction materials, tires, or other similar material.

PERSON

Any individual, partnership, firm, corporation, association or other legal entity of whatsoever kind and nature. "Person" shall include the owner(s), tenant(s), lessee(s), occupant(s) and/or person(s) in charge of or using the subject property.

§ 4 Prohibited acts.

- A. No person owning, occupying, using or having charge of any premises or property within the Town of Keedysville shall maintain or keep any nuisance thereon, as defined herein, nor shall any person allow any weeds to grow unchecked on any such premises or allow weed cuttings, trash, debris, rubbish, garbage, furniture, appliances, building materials, tires, or other similar material to be maintained, kept, deposited or scattered over the premises or

property.

- B. No person shall fail to remove from such premises or property any weeds, weed cuttings, trash, debris, rubbish, garbage, furniture, appliances, building materials, tires, or other similar material after having the premises posted to do so as provided in this article.

§ 5 Notice to abate; effects of noncompliance.

- A. *Weeds.* In the event that any person allows a nuisance to exist on any premises or property that consists of uncontrolled weeds, grasses, vegetation or weed cuttings as defined in *Chapter 20*, said person shall abate the nuisance in accordance with and within the time specified in *Chapter 20*. Failure to abate in accordance with and/or within the time period specified in *Chapter 20* shall be considered a violation of the *Code of Ordinances of the Town of Keedysville*.
- B. *Snow and Ice – Sidewalks.* In the event any person allows a nuisance (snow and ice) to exist on any premises or property in violation of *Chapter 29* of the *Code of Ordinances of the Town of Keedysville*, said person shall abate the nuisance in accordance with and within the time specified in *Chapter 29*. Failure to abate in accordance with and/or within the time period specified by *Chapter 29*, shall be considered a violation of the *Code of Ordinances of the Town of Keedysville*.
- C. *Non-weed nuisances.* In the event that any person allows a nuisance to exist on any premises or property other than a nuisance as described in Subsection A, said person(s) shall have seven days from the receipt or posting of a notice, whichever first occurs, from a Town official or other duly authorized agent to abate said nuisance.
- D. In the event that a nuisance is not abated within the time required in the notice, the person(s) notified to abate the nuisance shall be in violation of this Article and the Code Official may issue a Municipal Infraction Citation.
- E. In the event that the person(s) notified does not abate the nuisance within the time required in the notice, the Town shall have the authority at any time thereafter, within the discretion of the Town officials or other duly authorized representatives, to cause the violation to be abated in accordance with this *Code*. All costs for any such abatement, plus reasonable administrative fees including reasonable attorney's fees, shall be the responsibility of the person(s) notified under this section. Said person(s) shall be provided a prompt billing notice of all reasonable charges, plus reasonable administrative fees as defined herein, incurred by the Town in connection with the abatement. Payment for said charges and fees shall be due in full from said person within 30 days of the date the billing notice was mailed. Failure to remit payment in full may result in collection pursuant to this *Code* and/or as authorized by Maryland Law. The fees and costs associated with the Town's abatement shall constitute a lien against the property and may be collected in the manner of real estate taxes as permitted by the *Annotated Code of Maryland*. In addition, the Town shall have the authority to collect the costs through a civil proceeding. The right to abate contained herein, and the associated charges and fees, shall be in addition to any other

penalties, civil or criminal, to which said person may be subject.

§ 6 Summary abatement.

Upon the determination by a Law Enforcement Officer or other duly authorized Code Official that a nuisance as defined by this Chapter exists and that said nuisance poses an immediate threat to the health and safety of the public, the Law Enforcement Officer and/or Code Official may order that the violation be summarily abated. Prior to any summary abatement, the premises shall be posted with a notice that a violation exists and a demand that said violation be abated within 24 hours. Failure of the owner, occupant, user or person having charge of the premises or property to abate the violation within 24 hours shall result in the violation being abated by the Town and charges and fees being assessed against the person notified in accordance with this Chapter.

§ 7 Violations and penalties.

Any violations under this Chapter, *Nuisance Abatement and/or Chapter 20 and Chapter 29* are hereby declared to be Municipal Infractions as defined by state law and as authorized by Chapter 1, Article III of the *Code of the Town of Keedysville*. Any sworn law enforcement officer and/or Code Enforcement Official designated and appointed by the Mayor and Council shall have the authority to issue Citations to persons violating this Chapter and Chapters 20 and 29 as applicable.

In addition to the abatement charges and fees described herein, if any person allows a *non-weed* nuisance as defined in this *Code and/or Chapter* to exist, or shall fail to abate any *non-weed* nuisance after proper notice, such person may be issued a Municipal Infraction Citation and upon conviction thereof, be guilty of a civil infraction and shall be fined \$50 for a first offense; \$100 for a second conviction hereof within one calendar year; and \$250 for a third and subsequent conviction(s) hereof within one calendar year such a person shall be fined \$250. A separate offense shall be deemed committed on each day during or on which said nuisance is permitted to exist and has not been abated.

In addition to the abatement charges and fees described herein, if any person allows a *weed* nuisance as defined in this *Code and Chapter* to exist, or shall fail to abate any *weed* nuisance after proper notice, such person(s) may be issued a Municipal Infraction Citation and upon conviction thereof, be guilty of a civil infraction subject to the penalties specified in Chapter 1, Article III. A separate offense shall be deemed committed on each day during or on which said nuisance is permitted to exist and has not been abated.

Send Certification to:

Ms. Lisa Riner, Town Administrator
Town of Keedysville
Town Hall
P. O. Box 359
Keedysville, MD 21756

AUG 01 2025

Liber 14 Folio 0825
Acts, Ordinances, Resolutions- Town
Clerk of the Circuit Clerk
Washington County

LR - Government
Instrument 0.00
Agency Name: Town of
Keedysville
Instrument List: Other
Describe Other:
Ref:
=====

Total: 0.00
07/30/2025 04:02 CC21-KB
#19096551 CC0403 -
Washington
County/CC04.03.02 -
Register 02

This page not to be counted in calculating Recording Fee

Clerk of Circuit Court
Washington County, Maryland
Kevin R. Tucker, Clerk
24 Summit Avenue
Hagerstown, MD 21740
301-790-7991

For Clerks Use Only

Improvement Fee _____
Recording Fee _____
County Transfer Tax _____
Recordation Tax _____
State Transfer Tax _____
Non-Resident Tax _____
TOTAL _____