

**CITY OF ANYTOWN**

**NOTICE OF VIOLATION**

TO: John Q. Propertyowner  
9999 Main Street  
Anytown, Texas 75801

Date of Notice: April 6, 2016

**ADDRESSES OF VIOLATION:**

9999 Main Street                      *Legal Description*

9998 Main                                *Legal Description*

**You are hereby notified that the above referenced properties are in violation of the City Code of the City of Anytown.**

Specifically, these properties are in violation of **Section 1(a)** and **2(b)**, which provide that the owner, occupier, or supervisor of property is responsible for mowing and maintaining the property so that all grasses and weeds are less than 12 inches high.

These properties are also in violation of **Section 3**, which provides that the owner, occupier, or supervisor of property shall keep the property free from “rubbish, trash, filth . . . or other impure or unwholesome matter.” The huge mass of discarded lawnmowers on your property constitutes rubbish and trash, and you must, therefore, remove them from your property immediately.

These properties are also in violation of **Section 4** of the City’s Zoning Ordinance, which prohibits the use of any land in the City of Anytown except in conformance with the zoning laws, in that the use that is occurring on the property is as a junkyard or salvage yard. A junkyard is defined as “an open area where waste, used or secondhand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled . . .” The Certificate of Occupancy for your property is not for a junkyard, but for a lawnmower shop. In addition, a junkyard is not a permitted use in any of the zoning districts your property is in.

These properties are also in violation of the laws requiring the Planning and Zoning to approve a screening plan for the property; no such screening has been approved, therefore the property is in violation of **Section 5** of Anytown’s Zoning Ordinance.

These properties are also in violation of **Section 6** of Anytown’s Zoning Ordinance, as the portion of the property is closer to a federal highway and closer to a residential district than is permitted.

These properties are also in violation of **Section 7**, as the storage or display of junked lawnmowers and other equipment is not properly screened, is on the street right-of-way, is not set back 10 feet from the curb, is on an unimproved surface, and is in front of the primary building.

These properties are also in violation of **Section 8**, as you are keeping livestock (defined to include horses and goats) on property that is not an agricultural area.

These properties are also in violation of **Section 9**, as there are junked motor vehicles (defined to include boats and personal watercraft) on the property that are defined by the ordinance as a public nuisance.

These properties are also in violation of **Section 10**, as the owner of the properties has shown, exhibited, and displayed goods, wares, and merchandise on the public sidewalk.

These properties are also in violation of **Section 11**, as the properties have not been kept clean, free, and clear of all garbage, trash, and rubbish, and the owner has failed to dispose of other articles and accumulations that have caused such properties to become insanitary and unsightly.

These properties are also in violation of **Section 12** as the owner of the properties has placed garbage, trash, or rubbish on streets, alleys, and sidewalks, and has failed to keep the alleys, streets, and sidewalks abutting the properties free and clear of all such garbage, trash, and rubbish.

You are also notified that future violations within one year of the date listed above may be addressed by posting a notice such as this one at the affected property.

You are notified that to comply with the provisions of the ordinances listed above, you are required to remove all inoperable lawn mowers, go-carts, all-terrain vehicles, motor vehicles, motorboats, personal watercraft, and other equipment, along with any other debris or trash (with the exception of lawn mowers and other equipment you are in the process of repairing for a customer), and dispose of them in compliance with state law. You are not permitted to dispose of inoperable equipment on your property, or to store such equipment for more than a reasonable time (such as 10 days) pending disposal at some other location.

You are notified that if you do not remove all trash, rubbish, filth, and other impure or unwholesome matter from your property within 10 days after the date of this letter, the city may clean the property up itself, may charge the expenses of the cleanup to you, and may place a preferential lien on the property for such expenses.

If you claim that you are neither the owner nor the person in charge of one or more of these properties, please inform the City of that fact as soon as possible.

If you wish to challenge the determination of the Building Official of the City of Anytown in this regard, you may do so by filing an appeal to the Board of Adjustment within 10 days of this notice.

The City reserves all rights to choose other methods of enforcement, including a criminal complaint for violations of the City Code, enforcement by state environmental agencies, a civil action for nuisance abatement, or any other legally permissible method.

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Code Enforcement Department  
City of Anytown