

ORDINANCE NO. 8-211 & 8-212

AN ORDINANCE AMENDING CHAPTER EIGHT, ARTICLE TWO OF THE CODE OF THE TOWN OF SUTTON RELATING TO PUBLIC NUISANCES AND PROPERTY MAINTENANCE

WHEREAS, the Town of Sutton has adopted Chapter Eight of its Code of Ordinances to protect the health, safety, and welfare of its residents; and

WHEREAS, Sections **8-211** and **8-212** address public nuisances related to vegetation, fire hazards, broken sewers, and other conditions dangerous to public health and safety; and

WHEREAS, the Town Council finds it necessary to establish a clear, fair, and uniform notice and compliance period for property owners before penalties are imposed; and

WHEREAS, providing written notice and a reasonable opportunity to correct violations promotes voluntary compliance and ensures due process;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Sutton, West Virginia, that:

Section 1. Amendment to **8-211**

Section **8-211** of the Code of the Town of Sutton is hereby amended by adding the following subsection:

Notice and Compliance Period.

When a violation of this section is determined to exist, the owner of the property shall be provided with written notice from the Town identifying the condition or conditions constituting the violation. The notice will be delivered by personal service.

The property owner shall have thirty (30) days from the date of the notice to correct the violation and bring the property into compliance with the standards of this ordinance.

If the violation is not corrected within the thirty-day period, the Town may proceed with enforcement actions and penalties as authorized by this article and applicable law.

Section 2. Amendment to 8-212

Section **8-212** of the Code of the Town of Sutton is hereby amended by adding the following subsection:

Notice and Compliance Period.

When a violation of this section is determined to exist, the owner of the property shall be provided written notice from the Town identifying the condition or conditions constituting the violation.

The property owner shall have thirty (30) days from the date of the notice to correct the violation and bring the property into compliance with the standards of this ordinance.

If the violation is not corrected within the thirty-day period, the Town may proceed with enforcement actions and penalties as authorized by this article and applicable law.

Section 3. Emergency Conditions

Nothing in this ordinance shall be construed to limit the authority of the Town to take immediate action where a condition presents an imminent threat to public health or safety, as otherwise permitted by law.

Section 4. Severability

If any provision of this ordinance is held invalid or unenforceable, such invalidity shall not affect the other provisions, which shall remain in full force and effect.

Section 5. Effective Date

This ordinance shall take effect upon final passage and adoption.