

STATE OF GEORGIA
CITY OF DUBLIN

ORDINANCE
26-12

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN, GEORGIA, TO AMEND ARTICLE V OF CHAPTER 13 OF THE CODE OF ORDINANCES TO PROVIDE FOR ADDITIONAL CLARITY ON PROHIBITED GRASSES AND WEEDS AND PROVIDE FOR A STREAMLINED PROCEDURE FOR ABATEMENT OF THE NUISANCES CONTEMPLATED BY THIS ARTICLE; TO REPEAL CONFLICTING ORDINANCES; TO SET AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and City Council of Dublin, Georgia are vested with the authority to declare public nuisances and regulate the abatement and procedures for the same; and

WHEREAS, the Mayor and Council recognize a need for property owners to maintain the growth of vegetation and grasses and weeds such that it does not interfere with the rights and enjoyment of neighborhood property owners and the general public at large; and

WHEREAS, the Mayor and Council desire to promote the common health and welfare of the people of Dublin by controlling overgrowth of grasses and weeds to avoid the creation of standing water and undesired vermin and pests;

WHEREAS, the Mayor and Council find the growth of certain weeds, grasses, or plants under certain circumstances constitutes a public nuisance; and

WHEREAS, the Mayor and Council recognize a need to amend the procedures for abatement of weeds and grasses in excess of the maximum allowable height to provide for effective administration of these regulations.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN HEREBY ORDAIN AS FOLLOWS:

SECTION 1.

Section 13-60 of Chapter 13, titled Nuisances, found in Article V, titled VEGETATION, of the Code of Ordinances for the City of Dublin, which currently reads:

- a) "Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind found growing in any lot or track of land in the city, and any weeds, grasses, or plants other than trees, bushes, flowers, or other ornamental plants to a height exceeding eight (8) inches anywhere in the city are declared to be a nuisance, subject to abatement as provided in this article.
- b) Garden flowers, vegetables, cultivated agricultural crops, ornamental shrubbery, and trees shall not be considered weeds, grass, or vegetation within the meaning of this section.
- c) The provisions of this article shall apply only to property located within subdivisions of record in the office of the clerk or the superior court of the county, and to city lots of record as of the date of the passage of this article. They shall not apply to undeveloped areas of unsubdivided land within the city."

is hereby amended to read as follows:

- a) "Any weeds such as bahia, jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind found growing in any lot or track of land in the city, and any weeds, grasses, or plants other than trees, bushes, flowers, or other ornamental plants to a height exceeding eight (8) inches anywhere in the city are declared to be a nuisance, subject to abatement as provided in this article.
- b) Garden flowers, vegetables, cultivated agricultural crops, ornamental shrubbery, and trees shall not be considered weeds, grass, or vegetation within the meaning of this section.
- c) The provisions of this article shall apply to all property, developed or undeveloped, within subdivisions of record in the office of the clerk of the superior court of Laurens County, and to the original city lots, regardless of zoning designation."

SECTION 2.

Section 13-61 of Chapter 13, titled Nuisances, found in Article V, titled VEGETATION, of the Code of Ordinances for the City of Dublin, which currently reads:

"It shall be unlawful for the owner of improved property or previously improved property in the city, whether zoned residential, commercial, industrial, or other, to have, place, or allow grass, weeds and/or other undergrowth to exceed the height of eight (8) inches or more on such property, including but not limited to, the front, side, or rear yard. Property owners are specifically required to maintain any right-of-way adjoining their property and up to the street or curb, as the case may be. Notwithstanding the above, grass, weeds, and/or other undergrowth of a height of eight (8) inches or more are declared to be a public nuisance and abatable as such."

is hereby amended to read as follows:

"It shall be unlawful for the owner of property to which the Article is applicable pursuant to Sec. 13-60 to have, place, or allow grass, weeds and/or other undergrowth to exceed the height of eight (8) inches or more on such property, including but not limited to, the front, side, or rear yard. Property owners are specifically required to maintain any right-of-way adjoining their property and up to the street or curb, as the case may be. Notwithstanding the above, grass, weeds, and/or other undergrowth of a height of eight (8) inches or more are declared to be a public nuisance and abatable as such."

SECTION 3.

Section 13-62 of Chapter 13, titled Nuisances, found in Article V, titled VEGETATION, of the Code of Ordinances for the City of Dublin, which currently reads:

"(a) In the event of a violation of section 13-61, the record owner of said property shall be given notice to abate said nuisance within ten (10) business days. Said notice shall be served by: (1) certified mail, return receipt requested forwarded to the record owner(s) of said property; and (2) physical posting of the subject property. The mailed notice shall provide a description of the location of the property, identification of this Code section and the nature of the violation, and contact information of the enforcing officer. Said notices shall also state that unless corrective action is taken within ten (10) business days from the date of the notices, the city will begin abatement proceeding against the property in accordance with section 13-63."

is hereby amended to read as follows:

- a) "In the event of a violation of section 13-61, the record owner of said property shall be given notice to abate said nuisance within ten (10) days. The notice shall inform the owner that: (1) the owner must cut or remove the offending vegetation within ten (10) days of the date of the notice; (2) if the owner fails to abate the nuisance within that period, the City is authorized to enter the property and abate the nuisance at the owner's expense; and (3) the notice shall constitute a summons to appear in the Municipal Court of the City of Dublin at a hearing to be held no less than fifteen (15) days after expiration of the ten (10) day abatement period.
- b) Said notice shall be served personally or by: (1) registered mail, certified mail, or by private commercial delivery service, forwarded to the record owner(s) of said property at the address shown on the latest ad valorem tax records; and (2) physical posting of the subject property. Notice shall provide a description of the location of the property, identification of this Code section and the nature of the violation, contact information of the enforcing party, and the date, time, and location of the scheduled court hearing.
- c) Proper mailed notice shall be deemed complete upon depositing the notice in the mail or with a private commercial delivery service, addressed to the record owner according to the Laurens County Tax Assessor's Office at the address of record with said office. Return of a signed receipt or confirmation of delivery shall not be required to establish proper mailed notice.
- d) A notice of lis pendens may be filed in the office of the clerk of the superior court in the county in which property is located at the time of service of the summons. Such notice shall have the same force and effect as other lis pendens notices provided by law."

SECTION 4.

Section 13-63 of Chapter 13, titled Nuisances, found in Article V, titled VEGETATION, of the Code of Ordinances for the City of Dublin, which currently reads:

- a) "Upon the failure of any person to comply with abatement after having received notice of the nuisance as provided in section 13-62 or upon a second or subsequent violation of section 13-61, a citation shall be filed in the Municipal Court of the City of Dublin and a hearing scheduled to determine whether a violation of section 13-61 has occurred and/or whether said nuisance shall be abated. The property owner shall be served with the citation in the following manner: (1) certified mail, return receipt requested forwarded to the record owner(s) of said property; (2) first class mail to the persons in possession of the subject property; and (3) physical posting of the subject property. In lieu of the mailings required above, a building inspector or law enforcement officer may personally serve the owner with notice of the citation and hearing and shall document said service and file it with the Clerk of Municipal Court. In all cases, notice shall be physically posted on the subject property. The citation shall provide a description of the location of the property, identification of the Code section and nature of the violation, and contact information for the inspector or officer issuing the citation. The citation shall specify the location, time, and date of the hearing which shall be no less than fifteen (15) days after the date of certified mailing or personal service advising of the date. Abating the nuisance after the filing of the citation shall not relieve the property owner from appearing at said hearing.
- b) If the property owner is found in violation of section 13-61, he/she may be fined in accordance with section 13-66, ordered to abate the violation within a

reasonable time or a combination of both. If the property owner fails to abate said violation as ordered by the court, the city shall be allowed to enter said property to abate the same. If the property owner fails to appear at said hearing after proper notice, and if the violation is proven by competent evidence, in addition to fines, the city may ask to immediately abate such nuisance.

- c) Costs of abatement incurred by the city shall be recorded and billed to the property owner. Failure to pay the costs within thirty (30) days shall result in a lien being placed upon the real property. Such lien shall attach to the real property upon the filing of an itemized statement of the total sum of costs in the real estate records maintained by the Clerk of Superior Court of Laurens County, Georgia. Said lien shall be collectible as provided in section 13-38 of this chapter."

is hereby amended to read as follows:

- a) "The hearing scheduled pursuant to the notice in section 13-62 shall determine whether a violation of section 13-61 occurred by a preponderance of the evidence, whether the City provided proper notice, and whether the City may assess and attach a lien for the costs of abatement if the owner fails to pay an invoice for the costs of said abatement.
- b) If the property owner fails to appear at the hearing after proper notice, and the violation is proven by a preponderance of the evidence, the court may enter a default order authorizing the City to assess costs (including administrative, reasonable attorney's fees, inspection, and contractor fees) and proceed with lien procedures.
- c) If the City has abated the nuisance, the costs of abatement (including administrative, reasonable attorney's fees, inspection, and contractor fees) shall be billed to the property owner. The bill shall demand payment within thirty (30) days. Failure to pay the costs within thirty (30) days may result in a lien being placed upon the real property. Such lien shall attach to the real property upon the filing, in the real estate records maintained by the Clerk of Superior Court of Laurens County, Georgia, a copy of the order which determined a violation of 13-61. Said lien shall be collectible as provided in section 13-38 of this chapter and shall be a priority lien on the property."

SECTION 5.

Section 13-66 of Chapter 13, titled Nuisances, found in Article V, titled VEGETATION, of the Code of Ordinances for the City of Dublin, which currently reads:

- a) "If the property owner is found to be in violation of section 13-61, the property owner shall be fined one hundred fifty dollars (\$150.00) for the first offense. If the property owner has had other violations of section 13-61 at the subject property or other properties within the calendar year, he/she shall be fined as follows: 2nd offense, three hundred dollars (\$300.00); 3rd and subsequent offenses, five hundred dollars (\$500.00). The date of offenses shall be measured from the date of the citations issued to the property owner.
- b) In addition to the fines referenced in subsection (a), nothing contained herein shall prevent or prohibit the municipal court from punishing by its contempt powers any owner that willfully fails or refuses to comply with an abatement or other order of the court."

is hereby amended to read as follows:

- a) If the property owner is found to be in violation of section 13-61, the property owner may be subject to a civil penalty of one hundred fifty dollars (\$150.00) for the first offense. For subsequent violations at the same or other properties within the year: 2nd offense, three hundred dollars (\$300.00); 3rd and subsequent offenses, five hundred dollars (\$500.00). The date of offenses shall be measured from the date of the notice issued to the property owner.
- b) In addition to the civil penalties referenced in subsection (a), nothing contained herein shall prevent or prohibit the municipal court from punishing by its contempt powers any owner that willfully fails or refuses to comply with an abatement or other order of the court."

SEVERABILITY: If any provision of this ordinance is found to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

EFFECTIVE DATE: This ordinance shall become effective at 12:00 noon on the fifth day after its adoption.

REPEALER: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SO ORDAINED this 20th day of August, 2026 by a vote of
(5) FOR and (0) AGAINST.

CITY OF DUBLIN, GEORGIA:

By: _____

Mayor

ATTEST:

Dorothy Rizer
City Clerk

