

Response to Questions on the FY 2016 Budget

Request By: Supervisor McKay

Question: Are there other Northern Virginia jurisdictions with a grass code similar to Fairfax County? What is that code and what is the property owner charged if the jurisdiction cuts the grass? The Washington Post stated Arlington County charges a non-compliant property owner \$600. Is there a state ceiling on what the County can charge and if so, what is it?

Response: Arlington County, Prince William County, and Loudoun County have enacted grass ordinances restricting grass height to twelve inches on certain property within their respective jurisdictions. These jurisdictions charge the property owner the cost of abatement should the County cut the grass after providing notice to the property owner. Prince William County and Loudoun County have also enacted ordinances permitting the assessment of civil penalties in the amount of \$50 for the first violation of the ordinance, and \$200 for each successive violation of the ordinance, with total penalties not to exceed \$3,000 in a twelve month period.

The General Assembly has authorized the County to charge the costs and expenses associated with cutting grass after providing reasonable notice to the property owner. Additionally, civil penalties of \$100 may be assessed against the owners of occupied residential real property of less than one-half acre for each violation of the ordinance. *See* Va. Code Ann. § 15.2-1215(A) (Supp. 2014). Civil penalties of \$50 for the first violation and \$200 for each subsequent violation, with total penalties not to exceed \$3,000 in a twelve-month period may be assessed for any violation of the ordinance, regardless of the size, use, or occupancy of the property. *See* Va. Code Ann. § 15.2-901 (Supp. 2014).