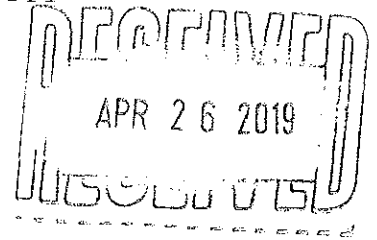


**NEW ORDINANCE**  
**INFORMATIONAL SHEET**



Proposed addition to the Town of Hopkinton's Code of Ordinances: Chapter 5.5, entitled "Adoption of the State Property Maintenance Code for the Town of Hopkinton."

**Background:**

The Town has previously adopted the State Building Code as the Building Code for the Town of Hopkinton. The State Property Maintenance Code is a section of the State Building Code. Chapter 5.5, entitled "Adoption of the State Property Maintenance Code for the Town of Hopkinton," provides language enumerating that the State Property Maintenance Code serves as the Property Maintenance Code for the Town of Hopkinton. This Ordinance also adopts municipal jurisdiction language for grass and weed length, along with a fine for each violation.

**Key Elements:**

- The State Property Maintenance Code is hereby adopted as the Property Maintenance Code for the Town of Hopkinton.
- The Town will adopt a maximum of ten (10) inches as the maximum allowable height of grass and weeds.
- The Town may assess a fine of twenty-five dollars (\$25.00) per day, per violation.

NEW ORDINANCE--CHAPTER 5.5, ENTITLED ADOPTION OF  
THE STATE PROPERTY MAINTENANCE CODE FOR THE  
TOWN OF HOPKINTON CODE OF ORDINANCES.

The Town of Hopkinton hereby ordains:

(A) The State Property Maintenance Code is hereby adopted as the Property Maintenance Code for the Town of Hopkinton.

(B) Chapter 5.5 adopts the State Property Maintenance Code for the Town of Hopkinton:

- 1) In accordance with Section 302.4 of the State Property Maintenance Code, entitled "Weeds", the Town hereby adopts ten (10) inches as the maximum allowable height of grass and weeds.
- 2) In accordance with Section 103.5 of the State Property Maintenance Code, entitled "Fees", the Town hereby adopts a fine of twenty-five dollars (\$25.00) per day, per violation. Each day is deemed to be a separate offense.

(C) **Purpose.** It shall be the duty of any person owning or leasing property in all zoning districts to maintain such premises in reasonably clean and orderly manner and to a standard conforming to other orderly premises in the neighborhood.

(D) **Grass and weeds.** Grass and weeds, excepting ornamental grasses, hedges, bushes, shrubs, or similar plantings shall be maintained at a height of ten (10) inches or less in all zoning districts.

(E) **Open space and recreation properties exempt.** All properties in Town that are held in public trust for open space or active and/or passive recreation purposes, either owned or held pursuant to a conservation easement by the Town, the State of Rhode Island, the Audubon Society, the Nature Conservancy, or other private entity whose function is the preservation of natural resources are exempt from the provisions of this section. All wetlands (as defined by the following governmental departments or agencies) on properties or portions thereof within the Town which are subject to the laws, rules and regulations of the Rhode Island Department of Environmental Management, the United States Department of the Interior and/or the United States Department of Agriculture and all subordinate agencies of said institutions are exempt from the provisions of this section.

**(F) Specific portions of private properties exempt.** Specific portions of private properties in all zoning districts are exempt for portions of the properties in question that consist of drainage swales, rain gardens and similar low-impact design techniques, wherever located.

**(G) Agricultural operations exempt.** All agricultural operations as defined in R.I.G.L. § 2-23-1 et seq., "The Rhode Island Right to Farm Act," so-called, are exempt from the provisions of this section.

**(H) Corrective action.** Whenever the owner, agent or tenant shall fail or refuse to maintain the property in the condition heretofore set forth in this section, the Building Official or designee shall serve a written Notice of Violation (NOV) to said owner, his agent or tenant of said violation and order said owner, agent or tenant to correct said action within seven (7) calendar days of said notice. Said notice shall be served upon the owner, agent or tenant personally or by leaving a copy of the order or notice at the owner, agent or tenant's last and usual place of abode or by certified mail, return receipt requested to the last known residence or office of the owner, agent or tenant. In the event that said owner, agent or tenant shall fail to correct said violation within seven (7) days of said NOV, the owner, agent or tenant shall be summoned into the Hopkinton Municipal Court for adjudication and subject to a fine of twenty-five dollars (\$25.00) for each violation, as determined by the Hopkinton Municipal Court following a hearing. Each day of the existence of any violation shall be deemed to be a separate offense. All fines shall be payable to the Town of Hopkinton.

**(I) Extension of time for compliance.** Upon cause shown to the Building Official or designee, the owner, agent or tenant may be granted additional time to comply with the provisions of this Ordinance.

**(J) Appeals.** Any owner, agent, or tenant aggrieved by a decision of the Hopkinton Municipal Court may appeal the matter consistent with the provisions enumerated in State Building Code (SBC-6), Section III, entitled Appeal of Violations.

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