

TELL IT ON THE MOUNTAIN

October 2016

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Town Manager



From all of us at
Cajah's Mountain,
we hope everyone
has a great holiday
season.

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Information on Voting

The **2016 General Election** will be held on Tuesday, November 8, 2016. All precinct polling sites will be open from 6:30 a.m. until 7:30 p.m. on Election Day.

Early Voting takes place Monday-Friday, 8 a.m. to 5 p.m. & Saturday, 8 a.m. to 1 p.m. on the 1st floor of the Caldwell County Alden E. Starnes Administration Building and the Shuford Recreation Center in Granite Falls. Early Voting lasts from October 20th to November 5th. Absentee ballots are also available. Please contact Board of Elections at (828) 757-1326 for more information.

"Nobody will ever deprive the American people of the right to vote except the American people themselves -- and the only way they could do this is by not voting."

-Franklin D. Roosevelt

UPCOMING EVENTS

- ◆ Town Council: First Tuesday of each month at Town Hall at 6:00 p.m.
- ◆ Town Planning Board: As needed on the Second Thursday of the each month at Town Hall at 6:30 p.m.
- ◆ Town Hall Closings:
November 23 - 25
Thanksgiving Holiday

December 23 & 26
Christmas Holiday

January 2
New Year's Holiday

Happy Halloween and Thanksgiving!



**Please take a look on pages 2 and 3 to review the highlights of the two new ordinances in Cajah's Mountain!*

New Ordinances Make Our Community Better

The Town Council is always looking for ways to enhance our community. And over the last several months, the Council received numerous complaints about two issues: junked motor vehicles and tall grass. In Response to these issues the Town Council of Cahah's Mountain approved two resolutions on October 4th, 2016, to enact the Abandoned and Junked Motor Vehicle Ordinance and the Tall Grass and Weed Ordinance. These two ordinances make our community safer and more inviting moving forward.

Several things to note:

- These Ordinances are enforced on a complaint basis.
- The solutions take time to implement.
- Only complaints after October 4th, 2016, are reviewable.
- These Ordinances are for the health, safety and welfare of the community.
- The Tall Grass and Weeds Ordinance is a seasonal ordinance.
- The Tall Grass and Weeds Ordinance does not apply to every property.
- Highlights contained in this newsletter do not contain all of the Ordinance information.

Highlights of the Tall Grass and Weed Ordinance

- The purpose of this ordinance is to secure the public health, safety and general welfare of the residents and property owners of Cahah's Mountain Township by regulating the height grass and weeds are allowed to grow in certain areas of the Town in which more people reside in close proximity.
- This ordinance applies to the following:
 1. Lots in a platted subdivision with a structure.
 2. Vacant lots within platted residential subdivisions in which buildings have been erected upon 60 percent or more of the lots, or
 3. On parcels of land along improved streets in common usage within the Town, to a depth of one hundred sixty five (165) feet or the depth of the ownership, whichever is the lesser.
- This ordinance does not apply to:
 1. Land used for agricultural purposes including weeds in fields devoted to growing any small grain crops such as wheat, oats, barley, or rye.
 2. Portions of lots used for flower gardens, shrubbery or vegetable gardens.
 3. Naturally wooded areas, regulated wetlands or meadows.
 4. Areas designated as undeveloped open space.
- **Violation Notice.** After inspection, if a property is determined to be in violation of this ordinance, a Violation Notice will be sent to the property owner or occupant of said premises in which the name appears in the last local assessment record of the Town. The notice shall be sent by both first class or by posting a copy of said notice on the property. The notice shall give the property owner fifteen **(15) days** from the date of the notice to cut the tall grass and weeds.
- **Failure to Comply.** If grass or weeds are found at a height of greater than eight **(8) inches**, the property occupant is in violation of the Town Ordinance. If the owner does not resolve the violation, the Town has the right to enter into the premises and have the grass and weeds cut to an acceptable length. All expenses of such cutting, to include equipment usage, transportation, man-hours involved, and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this Ordinance shall be paid by the owners of such land plus an administrative charge of fifteen **(15%) percent**, thereof per residential parcel, per cutting. After having a lot mowed, the Town shall then submit a bill to the property owner for the cost of the mowing. If the property owner does not pay the bill within sixty **(60) days** of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien on the land or property assessed of the same character in effect as the lien created by general law for taxes, plus an additional delinquency fee of **10%** per month until paid. The other route allows the Town to fine the owner **\$50** for the first offense, **\$50** for a repeat offense, **\$100** for the third offense, and **\$150** for the fourth offense. Remember that each day in violation constitutes a separate offense.

Highlights of the Abandoned and Junked Motor Vehicle Ordinance

- *Junked motor vehicle* means any motor vehicle that **does not display a current North Carolina license plate** that:
 1. Is partially dismantled or wrecked; or
 2. Cannot be self-propelled or moved in the manner in which it originally was intended to move; and
 3. Is visible from a public roadway, Coverage with a tarp or similar means is not acceptable. ..
- All junked vehicles shall be kept in a garage or building structure that provides a complete enclosure so that they cannot be seen from a public street or from adjacent property. (**A carport is not acceptable**)
- It shall be unlawful for the registered owner, or person entitled to the possession of a junked motor vehicle, to place, store, leave or allow a vehicle to remain on any property in violation of this ordinance or to allow a vehicle to remain on any property after the vehicle has been ordered removed from that property.
- It shall be unlawful for the **owner, lessee or occupant of the real property**, upon which a junked motor vehicle is located, to leave, or allow the vehicle to remain on the property in violation of this ordinance after the vehicle has been ordered removed.
- The Town Manager shall have the right to enter any premises within the jurisdiction of this article during daylight hours to determine if any vehicle is in violation of the Abandoned and Junked Motor Vehicle Ordinance.
- The Town has **two (2) options** to address a violation of the Abandoned and Junked Motor Vehicle Ordinance: remove the vehicle or fine the property owner where the vehicle is located.
- The Town will first send a certified letter to the occupant allowing them **fifteen (15) days** to ask for a hearing with the Town Council. If no hearing is requested, the occupant receives a second letter giving them **fifteen (15) day** to comply with the ordinance. If the occupant does not comply with the ordinance within the **fifteen (15) days** outlined in the letter they receive, the Town will implement one of the two aforementioned options.
- The civil penalty is \$50 for each violation, and each day in violation is considered a separate offense.
- The criminal misdemeanor is punishable by a fine of up to \$500.
- There is no grandfathering allowed by this ordinance.
- The Town may not, nor any person acting on behalf of the Town in the enforcement of this article, be held to answer in a civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, junked, lost or stolen vehicle for the enforcement of this ordinance.



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