

City of Sugar Hill
Planning Staff Report
MCA 26-001 Property Maintenance Code Updates

DATE: January 29, 2026
TO: Mayor and City Council
FROM: Planning Director
SUBJECT: Property Maintenance and Enforcement Procedures Update

ISSUE Suggested modifications have been identified by code enforcement staff within the property maintenance ordinance to allow for more appropriate enforcement methods. Staff has worked with the city attorney to develop an amendment which gives more weight to enforcement procedures, as well as changing the maximum vegetation height.

DISCUSSION

- Modifications include revisions to the following sections:
 - Section 14-313 (Grass, Weeds and Uncultivated Vegetation)
 - Section 14-349 (Notices of Violation)
 - Section 14-350 (Non-Compliance)
- See attached summary for specific language changes.

City of Sugar Hill – Code Revision Draft

Sec. 14-349. - Notice of violation. Enforcement Comparison

| Existing Code | Proposed Code |
|---|---|
| <p>Enforcement shall begin with a written notice of violation provided to the owner, occupant, or party in interest. The notice shall be served by either personal service or certified mail. The notice shall contain a deadline of not less than ten (10) and not more than thirty (30) days for compliance, which may be extended by the City Code Enforcement Officer. If the violation continues past the deadline, the code enforcement officer may issue a citation or take such other legal action authorized under this article.</p> <p>If any person fails or refuses to comply with the provisions of Section 14-313 within the specified deadline, the City may go upon such property and do or cause to be done the work necessary to obtain compliance. The expenses incurred, including administrative costs, shall be billed to the property owner. If unpaid after 30 days, the City may initiate a lien or lawsuit to recover all costs, including interest and attorney’s fees.</p> | <p>Enforcement shall begin with a written notice of violation provided to the owner, occupant, tenant, or party in interest. The notice shall be served by personal service, certified mail, or posting on the property. The notice shall contain a compliance deadline of not less than three (3) and not more than thirty (30) days, which may be extended by the City Code Enforcement Officer. If the violation continues past the deadline, a citation or other legal action may be taken.</p> <p>If the owner, occupant, tenant, or party in interest has received a notice of violation within the preceding twelve (12) months, no additional notice shall be required before issuing a citation for subsequent violations of this chapter.</p> |

Additional Proposed Elements

Category: This ordinance amendment strengthens all property and building maintenance requirements, positively impacting outdoor storage and sanitation, vegetation control, parking on grass, tree care, and the upkeep of exterior features including stairways, decks, porches, balconies, foundations, walls, roofs, and windows.

Grace Period: Not less than 3 days and not more than 30 days, which may be extended by the city

Fine Amount: Penalties shall remain unchanged

(Any person violating any of the provisions of this article shall, upon conviction in the Sugar Hill Municipal Court, be punished **wither** by a fine of no less than \$250.00 and shall not exceed \$1,000.00 per offense, or by a sentence of imprisonment not to exceed 60 days, or both. Each and every day that the premises shall remain in a condition in violation of the terms of this article shall constitute a separate offense. This section shall be in addition to and cumulative of the provisions of the abatement of said nuisance and the charge of the cost of the same against the owner of the premises by the city. The court shall the power and authority to place any person found guilty of a violation of this article on probation and to suspend or modify any fine or sentence.)¹

Exceptions: Adding formal definitions for vegetation not covered under the ordinance

(1) mature trees, ornamental trees, or planted trees; (2) cultivated garden flowers or vegetables; or (3) other ornamental plants

¹ This amendment also addresses a typographical error in the original Municipal Code, Section 14-356 ('Penalties'), and includes the current ordinance text for reference to ensure transparency and continuity in enforcement standards.

Regional Ordinance Comparison

| City | Vegetation Height | Grace Period |
|---------------------|-------------------------------------|---|
| Suwanee | 12 inches | Within 7 days |
| Duluth | 8 inches | No less than 2 and not more than 30 days for compliance |
| Buford | 12 inches | Within 7 days from receipt of the notice |
| Lawrenceville | 12 inches in height | No less than three and not more than 30 days for compliance. |
| Proposed Sugar Hill | 8inches | a compliance deadline of <u>not less than three (3)</u> and not more than thirty (30) days. |

The current ordinance resets the 10-day compliance period for each violation, even for repeat offenses, allowing chronic issues to persist. The existing 12-inch height limit is overly permissive; within the 10-day window, vegetation at this height can already create a visual nuisance. This amendment aims

to reduce repeat violations, address seasonal or ongoing problems more effectively, and enable consistent enforcement while maintaining community standards. It also authorizes the city's appointed officer to issue citations immediately if the case was previously adjudicated in municipal court within the past 12 months.

ORDINANCE _____

Ordinance to Amend Chapter 14 of the Code of the City of Sugar Hill, Georgia, to Revise Property Maintenance Standards, Enforcement Procedures, and Compliance Deadlines

The City Council of the City of Sugar Hill, Georgia hereby ordains that the Code of the City of Sugar Hill, Georgia shall be amended as follows:

Section 1:

By deleting Section 14-313. Grass, weeds and uncultivated vegetation, of Article V (Property Maintenance) of Chapter 14 (Buildings and Building Regulations) in its entirety and replacing it with a new Section 14-313 to read as follows:

Sec. 14-313. Grass, weeds and uncultivated vegetation.

Premises and exterior property shall be maintained free from grass, weeds or uncultivated vegetation in excess of 8 inches in height by the owner, tenant, occupant, and other designated authority. It shall be the responsibility of the property owner, occupant, tenant and other designated authority to cut and remove grass, weeds or uncultivated vegetation as often as may be necessary. Any weeds, grasses or plants growing to a height exceeding 8 inches anywhere in the city are declared to be a nuisance, subject to citation or abatement as provided in this article, subject to the following exceptions: (1) mature trees, ornamental trees, or planted trees; (2) cultivated garden flowers or vegetables; or (3) other ornamental plants. Property shall be maintained to side and rear property lines and to the curb or edge of pavement.

Exceptions:

- (1) Undeveloped property one acre or greater in size shall only be required to be maintained a minimum of 20 feet from all property lines;
- (2) Property zoned AF (agricultural and forest district) shall only be required to be maintain a minimum of 20 feet from all property lines.

Section 2:

By deleting Section 14-349. Notice of violation, of Article V (Property Maintenance) of Chapter 14 (Buildings and Building Regulations) in its entirety and replacing it with a new Section 14-349 to read as follows:

Sec. 14-349. Notice of violation.

Enforcement shall begin with a written notice of violation provided to the owner, occupant, tenant or party in interest. The notice shall be served by either personal service, certified mail, or posted on the property. The notice shall contain a deadline of, not less than three (3) and not more than thirty (30) days for compliance, which may be extended by the City Code Enforcement Officer. If the violation continues past the deadline, the Code Enforcement Officer may issue a citation or take such other legal action authorized under this article. If the owner, occupant, tenant or party in interest has received a notice of violation of any provision of this chapter within the preceding 12-month period, no additional notice of violation under this section shall be required before issuing a citation for any subsequent alleged violation of this chapter.

If any person fails or refuses to comply with the provisions of [section 14-313](#) of this article within the specified deadline of the code enforcement officer, the city, through its agents and employees, may go upon such property and do or cause to be done the work necessary to obtain compliance with this article. The expense incurred in correcting this condition of such property, and any administrative costs involved, shall be paid by the city and charged to the owner of such property. A bill for such services shall be promptly sent to the owner of the property on which such services were performed by the department of planning and zoning. Should said amount go unpaid for a period of 30 days following the mailing of said bill, the city may institute a law suit or place a lien on said property to seek recovery of the amounts expended by the city including applicable interest and attorney's fees. This provision is not exclusive of any other rights and remedies available to the city under its charter and laws of the state.

Section 3:

By deleting Section 14-350. Non-compliance, of Article V (Property Maintenance) of Chapter 14 (Buildings and Building Regulations) in its entirety and replacing it with a new Section 14-350 to read as follows:

Sec. 14-350. Non-compliance.

If any person fails to comply within the time specified in the notice of violation or is in violation of any provision of this chapter after previously receiving a notice of violation within the preceding 12-month period, the code enforcement officer shall file a complaint in the Sugar Hill Municipal Court specifically alleging the nature of the violation of this article. The court shall have the authority to issue penalties as established in [section 14-356](#), to order the city to complete any necessary work and receive a lien against the property to recover its costs, or to issue any other remedy it deems necessary and appropriate.

Section 4:

Except as specifically amended as set forth above, all other sections and provisions of the city code shall remain in full force and affect. Further, all other sections and provisions of the city code shall remain materially unchanged and in full force and affect.

Section 5:

All ordinances, regulations, or parts of the same in conflict with this ordinance are hereby rescinded to the extent of said conflict and only to the extent of said conflict.

Section 6:

If any section, article, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

IT IS SO ORDAINED this _____ day of _____, 2026.

Those voting in favor:

Those voting in opposition:

Joshua Page, Council Member Post 1

Joshua Page, Council Member Post 1

Gary Pirkle, Council Member Post 2

Gary Pirkle, Council Member Post 2

Meg Avery, Council Member Post 3

Meg Avery, Council Member Post 3

Alvin Hicks, Council Member Post 4

Alvin Hicks, Council Member Post 4

Samantha Piovesan, Council Member Post 5

Samantha Piovesan, Council Member Post 5

ATTEST:

Jane Whittington, City Clerk

Submitted to Mayor: _____ / _____ / _____

Approved by Mayor, this _____ day of _____ 2026.

Brandon Hembree, Mayor