



CITY OF BRYAN

"The Good Life, Texas Style"

CODE



ENFORCEMENT



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(979) 209-5900**

www.bryantx.gov

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Trash Containers in Street

Trash containers should not be placed curbside for collection any sooner than 12 hours before the scheduled day of collection and returned to a location adjacent to the dwelling or stored out of public view no later than 12 hours after service.



Bryan Code Section 102-26

Graffiti

Allowing graffiti to exist in public view is detrimental to the property, encourages criminal activity in the area, and is an eyesore for the community. Bryan Code prohibits



a property owner to permit graffiti to remain on their property. The City's Graffiti Abatement Program follows state law in assisting property owners with removing graffiti. Report graffiti to the Public Works Call Center at (979) 209-5900 or email pwcc@bryantx.gov.

Bryan Code Section 50-234

The City of Bryan Code Enforcement Department is responsible for handling code violations

Voluntary compliance for a violation is the ultimate goal of the department. Correction of code violations, in some cases, may take several days, weeks, or even months. Cases are opened within 48-hours after receipt of a complaint, and the department maintains an internal goal that cases do not remain open more than 30 days. However, cases involving public nuisances can take more than 30 days to satisfy notification requirements and timelines defined by state law. Citations can be issued when compliance is not met. Only in extreme cases will the City go in and clear the property if the violation presents a public health and safety hazard.

You can report a violation by contacting the Public Works Call Center by phone at (979) 209-5900 or by email at pwcc@bryantx.gov. Leaving contact information is vital to a thorough investigation, and Code Officers do not discuss the name of a complainant with a violator when a complaint is investigated.

Necessity for Public View

Frequently the term “in public view” is used when discussing code violations. This significance relates to the Fourth Amendment to the U.S. Constitution which prohibits, generally, illegal search and seizure of any property. This protection, however, applies only to searches where the occupant has a reasonable expectation of privacy.

A concern related to privacy is satisfied (1) if the violation can be witnessed from a public street, sidewalk, alley, or other public place or (2) permission to inspect the property is given to the Code Officer by the property owner; otherwise, a search warrant will be required for inspection.

Applying the Rule: when the area observed is plainly visible, from a vantage point where the Code Officer has the right to be, there is no reasonable expectation of privacy.

Junk Vehicle

The City of Bryan follows guidelines set forth by state law concerning junked motor vehicles. The City of Bryan defines a junk vehicle as a vehicle, boat, trailer, tractor, etc. that is wrecked, dismantled or partially dismantled, discarded, and has remained inoperable for more than **30 consecutive days on private property or 72 consecutive hours on public property.**



A junked motor vehicle must be visible from a public place or public right-of-way. This provision does not include vehicles that are completely enclosed in a garage or screened from public view by a privacy fence. Placing a tarp or car cover on a vehicle does not constitute proper storage.

Residents are given written notice to remove, store, or make operational such vehicles within 10 days or face legal action as well as towing and possible demolition of the junked motor vehicle.

Bryan Code Section 38-21

Open Storage

It is unlawful to openly store items such as an ice box, refrigerator, stove, glass, carpet, upholstered furniture, tires, auto parts, building rubbish/materials, boxes, or other similar items that are not screened from public view for **more than 24**

hours on a property where residential use has been authorized. Usage of tarps to screen items does not constitute proper storage.

Bryan Code Chapter 38



Sewer Leaks and Overflows

It is the property owner's responsibility to maintain the sewer pipe connecting the served property to the public sewer main. Proper maintenance includes

keeping sewer pipe clean and clear of obstructions such as roots, grease and debris. Sewer pipe must be maintained to (1) prevent introduction of surface or ground water into the sewer pipe and (2) prevent sewage discharge into the environment.

Bryan Code Section 122-50



Illegal Dumping

Code Enforcement pursues two goals with illegal dumping – (1) ensuring the dump site is cleaned up and (2) catching the perpetrator. If caught, offenders may be required to clean up the dump site and pay a fine. However, cleaning the dump site is ultimately the responsibility of the property owner.

Residents are asked to record license plate numbers and other descriptors of illegal dumpers and to report the incident to the City of Bryan immediately. Contact the Bryan Police Department at (979) 821-3888 or the Public Works Call Center at (979) 209-5900.



Parking Trailers and Commercial Vehicles in Street

Commercial vehicles, trailers, boats, and recreational vehicles may not be parked in the street.

Bryan Code Section 118-88

Over-Occupancy

The City of Bryan establishes standards for the maximum number of unrelated individuals that can reside in a dwelling. In general, no more than 4 unrelated individuals can reside under one roof. In a Residential Neighborhood Conservation District, no more than 2 unrelated individuals can live under one roof.

The term “related” implies individuals common by blood, marriage, or adoption. Example: a family of 3 common by blood share a property with an unrelated roommate. In this situation no more than 2 unrelated individuals are considered living at the property.

Windshield inspections of the property are performed once a complaint is received to build a vehicle tracking log and pinpoint signs of over occupancy. Utility records may be reviewed to establish trends for water and electricity consumption. Staff may make direct contact with the property owner, tenant, landlord, or leasing agent to inquire about the property. An official notice will be issued to all parties if the investigation produces reasonable cause to suspect an over-occupancy violation exists. A reasonable amount of time will be given to each party to come into compliance or face legal action.

Bryan Code Chapter 130

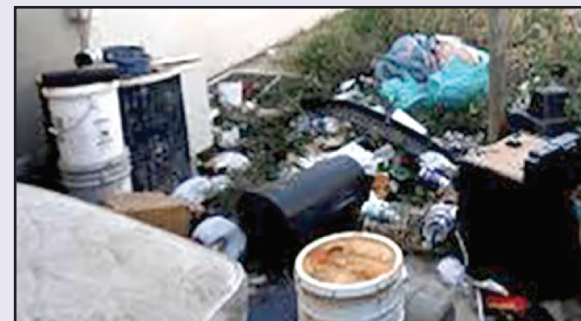
Nuisances

Bryan Code Section 50-88 states maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

- Weeds and grass which grow in such way to harbor reptiles or rodents, or create a fire hazard, or attain a greater height than 12 inches
- Heaps of rubbish: keeping any garbage, trash, debris, cultivated brush, rubbish, wood and metal scrap, inoperative or abandoned appliances and furniture
- Dilapidated structures or fences: any unsightly, partially destroyed, dilapidated or unfinished building or structure, discarded building materials, or dilapidated fences
- Offensive odors
- Animal carcasses
- Pollution of water
- Stagnant water

Owners of properties in violation will receive a notice allowing 7 days to bring the property into compliance. The City may take action to abate the nuisance on the 11th day after notice was issued. The City’s initial notification of violation is valid for 1 year from the date of issuance and allows the City to abate repeat nuisances of the same nature without issuing a second notice in that year.

The property owner is responsible for paying all costs associated with this service plus an administration fee of \$100. A citation will be issued to the



property owner each time the City is required to abate the problem. A lien will be placed against the property for any bill not paid within 30 days.

Bryan Code Section 50-87

High Weeds and Grass

Grass or weeds **higher than 12 inches** are deemed a public nuisance.

Owners of properties in violation will receive a notice allowing 7 days to bring the property into compliance. The City may send a contractor to mow the property on the 11th day after notice was issued.

The City's initial notification of violation is valid for 1 year from the date of issuance and allows the City to mow the property without issuing a second notice for a repeat violation in that year.

The property owner is responsible for paying all costs associated with this service plus an administration fee of \$100. A citation will be issued to the property owner each time the City is required to correct the violation. A lien will be placed against the property for any bill not paid within 30 days.



Exceptions:

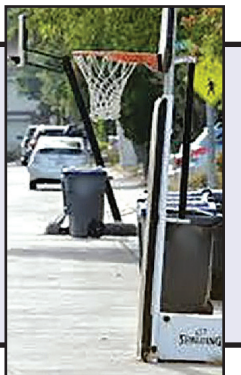
1. State highway rights-of-way
2. Actively utilized crop production and/or grazing areas (greater than 1 acre)
3. Heavily wooded areas filled with uncultivated underbrush
4. Concentration of wildflowers from March 1 until June 15 of each year in areas where grasses and weeds do not exceed 18 inches in height

Bryan Code Section 50-87

Basketball Goals in Right-of-Way

Basketball goals are prohibited from storage in the right-of-way (commonly understood as the area between street and the property's water meter).

Bryan Code Section 130-34



Unimproved Parking

It is unlawful to park, store, or allow another to park or store a vehicle, trailer, or boat on any portion of a front or side yard visible from public view on a property located in a residentially-zoned

district or on any premises used for one-family, two-family, or multifamily dwelling purposes. Parking of such must be on an improved surface composed of asphalt, concrete, or gravel.



Bryan Code Section 118-88



Signs in Right-of-Way

No sign, other than a City of Bryan sign or other sign of a public nature, is permitted to be placed on City property or the public right-of-way. Placement of signage in the public right-of-way, on power poles and light poles, or other public property is a violation.

Bryan Code Chapter 98