

**Code of Ordinances, City of Hopewell, Virginia  
Abstracted April 2016**

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**Chapter 12 Cemeteries**

**ARTICLE I. IN GENERAL**

**Sec. 12-2. Injuring, etc., cemeteries, burial grounds, etc.**

(a) If any person:

...

(2) Willfully or maliciously destroy, remove, cut, break or injure any tree, shrub or plant within any cemetery or lot of any memorial or monumental association;

...

...

Cross reference: Damaging property generally, § 25-33 et seq.

State law reference: Similar provisions, Code of Virginia, § 18.2-127.

**Chapter 14 Erosion & Sediment Control**

**Article I In General**

**Sec. 14-1. Definitions.**

As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise:

*Clearing:* Any activity which removes the vegetative ground cover, including but not limited to, root mat removal or top soil removal or relocation.

*Land disturbing activity:* Any land change which may result in soil erosion from water or wind and the movement of sediment into waters or onto lands, including, but not limited to, clearing, grading, excavating, transporting and filling of land, except the term shall not include those activities excluded pursuant to Va. Code § 10.1-560, and all amendments thereto.

*Transporting:* Any moving of earth materials from one place to another, other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

(Ord. of 2-24-76, § 2; Ord. No. 95-2, 1-25-95; Ord. No. 2006-05, 6-27-2006)

State law reference: Similar provisions, Code of Virginia, Tit. 10.1, Ch. 5, Art. 4.

**Chapter 18 Garbage, Refuse & Weeds**

**ARTICLE I. IN GENERAL**

**Sec 18-2. Nuisances**

(a) Any weeds, grass, or other foreign vegetation growth upon any property within the city which is detrimental to the health, safety or welfare of the inhabitants of the city, are hereby declared a nuisance.

(b) Any weeds, shrubs, grass, or other vegetation growth upon any property within the city which is in excess of fourteen (14) inches in height are hereby declared a nuisance. This subsection shall not apply to wooded areas of land in their natural state.

(c) Any hedge, shrub, tree or other vegetation, the limbs, branches or other parts of which overhang, extend or protrude into any street, sidewalk or public alley in a manner which obstructs or impedes the safe and orderly movement of persons or vehicles thereon or, in the case of trees, when the dead limbs or branches thereof are likely to fall into or across such street, sidewalk or public alley, thereby endangering such persons or vehicles, or which would cause a traffic hazard as described in Article XVIII-A-10-c of the zoning ordinance are hereby declared a nuisance.

(d) Any grass, weeds, or other vegetable matter growing on any sidewalk, or between any sidewalk and the paved surface of the street, are hereby declared a nuisance and it shall be the duty of the owner or occupant of any land or premises abutting upon such sidewalks to keep such grass, weeds, and other vegetable matter cut at all times to prevent such space from becoming unsightly or offensive, or from constituting a hazard to the health, safety or welfare of the residents of the city.

...

(h) Subsections (a) – (e) shall not apply to wooded areas of land in their natural state. State law references: Authority for above section, Code of Virginia, §15.2-901 and §15.2-1115.

## **ARTICLE II. COLLECTION AND DISPOSITION OF REFUSE GENERALLY**

### **Sec. 18-36. Collection of tree limbs and other yard waste.**

Tree limbs, cuttings, shrubbery, and similar yard waste may be disposed of as residential refuse, provided that such limbs, cuttings, shrubbery, and the like are cut in four-foot lengths, tied in bundles and stacked in a neat, manageable pile, with the large or base ends towards the curbside in a manner which will not block drainage. Such piles shall be placed next to the refuse container for collection. Lawn trimmings and leaves shall not be placed in the gutter or in any drainage ditch. Materials shall not be of a hazardous nature nor shall any individual item weigh more than seventy-five (75) pounds.

(Ord. No. 79-30, § 1(18-13), 10-23-79; Ord. No. 80-13, § 18-13, 9-9-80; Ord. No. 2002-17, 9-23-2002)

## **Chapter 23 Noise**

### **Sec. 23-8. Specific Loud Noises Prohibited.**

In addition to the prohibitions listed in the preceding sections, it shall be unlawful for any person to cause, or permit to be caused, any of the following prohibited sounds or noises:

...

(g) To create any plainly audible sound or noise in residential areas between 10:00 p.m. and 7:00 a.m. in connection with lawn care, leaf removal, gardening, tree maintenance or removal and other landscaping, lawn or timbering activities.

...

## **Chapter 25 Offenses - Miscellaneous**

### **Sec. 25-35. Destruction of trees, shrubs, etc., on land of another, public park or wildlife refuge or sanctuary.**

(a) It shall be unlawful for any person to pick, pull, pull up, tear, tear up, dig, dig up, cut, break, injure, burn or destroy, in whole or in part, any tree, shrub, vine, plant, flower or turf found, growing or being upon the land of another, or upon any land reserved, set aside or

maintained as a public park, or as a refuge or sanctuary for wild animals, birds or fish, without having previously obtained the permission, in writing, of such owner or his agent or of the superintendent or custodian of such park, refuge or sanctuary so to do, unless the same be done under the personal direction of such owner, his agent, tenant or lessee or superintendent or custodian of such park, refuge or sanctuary.

(b) Any person violating this section shall be guilty of a Class 3 misdemeanor; provided, however, that the approval of the owner, his agent, tenant or lessee, or the superintendent or custodian of such park or sanctuary afterwards given in writing or in open court shall be a bar to further prosecution or suit.

## **Chapter 33 Streets & Sidewalks**

### **Article I In General**

#### **Sec. 33-20. Planting trees in or near streets or sidewalks.**

No person shall plant any shade trees in the streets or sidewalks of the city without the previous consent of the city manager, who shall designate the proper line for the same. No North Carolina poplar, Lombardy poplar or cottonwood tree shall be planted in the streets or alleys of the city nor within ten (10) feet of the lines of the same. Neglect or refusal to remove trees planted contrary to this section, when ordered to do so by the city manager, shall be cause for issuance of a warrant for having the trees removed by the city, and the person planting the trees shall pay the cost for the removal of same.