

BILL NO. 36-0074

Thirty-Fifth Legislature of the Virgin Islands

May 8, 2025

An Act amending title 20 Virgin Islands Code, part I by adding a chapter 3 establishing the “Virgin Islands Roadside Property Maintenance and Vegetation Act” to require property owners to maintain roadside vegetation, prevent obstruction of public roads and utility lines, provide for enforcement, penalties, and exceptions, and for other related purposes

PROPOSED BY: Senator Kenneth L. Gittens
Sponsor: Avery L. Lewis

1 **WHEREAS**, it is in the best interest of the Virgin Islands to ensure the safety and
2 aesthetic appeal of public roads by requiring roadside property owners to maintain their lawns
3 and vegetation, preventing overgrown brush, trees, and shrubs from obstructing roadways and
4 public utility lines;

5 **WHEREAS**, unmaintained roadside vegetation poses hazards to motorists, pedestrians,
6 and public utilities, increasing risks of accidents, power outages, and infrastructure damage;

7 **WHEREAS**, implementing clear maintenance requirements will reduce government
8 maintenance costs, improve public safety, and enhance the overall appearance of roadways
9 throughout the Virgin Islands; and

10 **WHEREAS**, it is necessary to establish enforcement measures, penalties for non-
11 compliance, and reasonable exceptions for property owners facing financial hardship or
12 extraordinary circumstances; Now Therefore,

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 SECTION 1. Title 20 Virgin Islands Code part I is amended by adding the following
3 chapter 3:

4 **“Chapter 3. The Virgin Islands Roadside Property Maintenance and Vegetation**
5 **Act**

6 **§ 8. Short title**

7 This chapter may be cited as “The Virgin Islands Roadside Property Maintenance and
8 Vegetation Act”.

9 **§ 9. Definitions**

10 For purposes of this Act, the following definitions apply:

11 (a) Roadside Properties: Any real property abutting or adjacent to public roads,
12 highways, or streets.

13 (b) Overgrown Vegetation: Any tree, bush, shrub, or grass that extends beyond the
14 boundary of the property and encroaches upon public roads, utility lines, or easements.

15 (c) Public Utility Lines: Any publicly owned infrastructure, including but not limited
16 to electric, water, sewer, telecommunications, and cable lines.

17 (d) Property Owner: Any individual, corporation, or entity that holds legal title to a
18 portion of real estate and is responsible for its maintenance, including the authority to sell,
19 lease, or manage the property.

20 **§ 10. Property Owner Responsibilities**

21 (a) Property owners of roadside properties shall maintain their lawns to ensure no
22 overgrown vegetation encroaches onto or over public roads, highways, or streets.

23 (b) Property owners shall regularly maintain trees and other vegetation to prevent
24 obstruction of or interference with public utility lines.

1 (c) Property owners shall conduct regular inspections and take corrective actions, such
2 as trimming trees, brush, and other vegetation, to prevent obstruction of roadways or public
3 utilities.

4 **§ 11. Enforcement and Violations**

5 (a) Failure to comply with the provisions of this Act constitutes a violation.

6 (b) The Department of Public Works is authorized to inspect roadside properties to
7 determine compliance with this Act.

8 (c) If a property owner is found in violation, the Department of Public Works may:

9 (1) Issue a written notice requiring immediate corrective action by the
10 property owner.

11 (2) Perform the necessary work to address the violation, including trimming
12 trees and clearing brush.

13 (3) Recover all associated costs, including labor, equipment, and
14 administrative fees, from the property owner.

15 **§ 12. Penalties**

16 (a) If a property owner fails to remedy the violation within 30 days of receiving notice,
17 the Department of Public Works may impose a lien against the property.

18 (b) A lien of \$1,500.00, plus any costs incurred by the Department of Public Works
19 for corrective actions, shall be added to the property tax bill of the non-compliant owner.

20 (c) The lien shall be payable alongside property taxes and subject to the same
21 enforcement procedures for collection.

22 **§ 13. Exceptions**

23 (a) The Department of Public Works shall establish a financial hardship waiver and
24 payment plan program for property owners who are unable to comply with the requirements of

1 this Act due to financial constraints. Property owners may apply to the Department of Public
2 Works for a waiver or a structured payment plan to cover compliance costs.

3 (b) The Department of Public Works, in consultation with the Department of Planning
4 and Natural Resources, may grant temporary exemptions in cases of extraordinary
5 circumstances, such as natural disasters or severe weather events that have caused overgrowth.”

6 **SECTION 2.** This Act shall take effect sixty (60) days after its enactment.

7 **BILL SUMMARY**

8 This bill seeks to establish the “Virgin Islands Roadside Property Maintenance and
9 Vegetation Act” by amending Title 20, Virgin Islands Code, Part I to add a new Chapter 3. The
10 proposed legislation sets clear guidelines for property owners to maintain roadside vegetation
11 and prevent encroachment onto public roads and utility lines. It establishes enforcement
12 measures through the Department of Public Works, penalties for non-compliance, and a process
13 for addressing violations, including liens on property taxes. The bill also provides exceptions
14 for financial hardship and extraordinary circumstances.

15 **BR25-0233/February 27, 2025/KEH**