

CHAPTER 7: NUISANCES AND OFFENSES

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ORDINANCE 77 WEEDS AND GRASS

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Section 77.01: DEFINITIONS. The phrase “plants detrimental to health” shall include, but is not limited to, the following: marijuana, hemp and other narcotic plants.

Section 77.02: REMOVAL OF GRASS AND WEEDS. It shall be unlawful for any owner, lessee, or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant having control of any occupied or unoccupied lot or land or any part in the City to permit or maintain on any such lot or land, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb or middle of the alley or for ten (10) feet outside the property line if there is no curb, any growth of weeds, grass, brush or other rank vegetation to a greater height than eight (8) inches, or any accumulation of dead weeds, grass or brush. It shall also be unlawful for any such person or persons to cause, suffer or allow poison ivy, ragweed, or other poisonous or harmful weed to extend upon, overhang or border any public place or allow seed, pollen or other poisonous particles or emanations to be carried through the air into or onto any public place.

Section 77.03: DUTY OF OWNER. It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all such weeds, grass, brush or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of the preceding paragraph.

Section 77.04: CITY TO DO WORK. If the provisions of the foregoing sections are not complied with, the Weed Inspector or City Clerk/Administrator shall serve one annual written notice upon the owner of any such lot or land to comply with the provisions of this Ordinance. The notice shall be sent by certified mail to the address provided to the County Auditor for receipt of property tax statements. If the person upon whom the notice is served fails, neglects or refuses to cut and remove or to cause to be cut and removed such weeds, grass, brush or other vegetation within five (5) days after receipt of such notice, excluding the date of service, or fails, neglects or refuses to keep such lot or land in compliance with this Ordinance over the next twelve months, or if no person can be found in the City who either is or claims to be, the owner of such lot or land, or who either represents or claims to represents such owner, the Weed Inspector or City Clerk/Administrator shall cause such weeds, grass, brush and other vegetation on such lot or land to be cut and removed without further notice. The owner of such lot or land shall be assessed a fee as established by the City Council in Appendix A which shall be due and payable within thirty days. If the fee remains unpaid, it shall be certified by the City Clerk/Administrator to the County Auditor, or other duly appointed official, and shall become and be a lien upon the property on which such weeds, grass, brush or other vegetation on such lot or land were located and shall be added to and become and form part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes which

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are unpaid, and shall be collected and enforced by the same office and in the same manner as taxes.

*Section 77.04 amended 8/11/09*

Section 77.05: PENALTY. Any person who violates the provisions of this Ordinance shall be guilty of a petty misdemeanor. Fines for violations are as established by the City Council in Appendix A.

*Section 77.05 amended 1/4/06*