

CHAPTER 135 WEEDS

"Weeds" means any plants growing uncultivated and out of context with the surrounding plant life with a height of nine (9) inches or more or when such plant has a seed head forming or formed.

135.02 NUISANCE DECLARED; VIOLATIONS. The failure of a person owning, controlling or in possession of property to observe any of the following requirements shall be subject to the penalties provided in Chapter 8 of this Code of Ordinances:

1. Duty to Cut Noxious Weeds. Each owner and each person in the possession or control of any land shall cut or otherwise destroy, in whatever manner prescribed by the weed official, all noxious weeds thereon and shall keep said lands free of such growth.

2. Developed and Undeveloped Lots; Weed Removal; Grass Cutting. Each owner and each person in possession or control of any developed or undeveloped lot or land area shall be responsible to keep said lot or land area, along with the parking adjacent thereto, alleys, public ways or land areas up to the centerline of said ways free of any weeds and to keep grasses on said land mowed so that said grass is less than nine inches in height.

3. Obstructing Public Ways. Each owner and each person in the possession or control of and lands shall not allow any plant growth of any sort to remain in such a manner as to render the streets, alleys or public ways adjoining said land unsafe for public travel or in any manner so as to impede pedestrians or vehicular traffic upon any public place or way.

Obstruction of the Public Way also includes overgrowth of grass or weeds which remain in such a manner as to impair the free flow of water through the streets, alleys, curb and gutter, and any other public ways adjoining the land.

4. Interference with Weed Official. No persons shall interfere with the weed official or any appointed assistant while engaged in the enforcement of this chapter.

5. Fire Hazards No owner or person in possession or control of any developed or undeveloped lots or land areas shall allow plant growth or accumulation of plant materials so as to constitute a fire hazard, as determined by the Fire Chief

135.03 EMERGENCY CONTROL MEASURES. Notwithstanding any other provisions of this chapter, whenever in the judgment of the weed official, the Fire Chief or the City Engineer, a property exhibits uncontrolled weed growth which creates a health, safety or fire hazard, the weed official may undertake immediate action to abate said condition without prior notice and opportunity for hearing. The costs of such action plus a reasonable administrative fee may be assessed against the property for collection in the same manner as property taxes as provided by State law. However, prior to such assessment, the City shall give written notice to the property owner, by certified mail, and the opportunity for an administrative hearing.