

Title 7: Health and Safety

Chapter 14: Weeds and Offensive Accumulations

7-14-010: Inspection and notice

7-14-020: Compliance with the notice

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7-14-010: Inspection and Notice

Undeveloped lots which have weeds, grass, or other growth which constitute an existing or potential fire hazard shall be abated by the owner of the property. Weed abatement compliance shall be accomplished by discing, plowing, or mowing weeds within 4 inches of the ground. The City shall survey properties within the City and identify those needing abatement and then serve notice in writing upon the owner or occupant of such land in person or by mailing notice, postage prepaid, addressed to the owner or occupant at the last known post office address as indicated by the records of the County Assessor. The notice shall require the owner or occupant as the case may be to abate the weeds by a specific time, which shall not be less than ten (10) days from the date of service of such notice. One notice shall be deemed sufficient on any lot or parcel of property for the entire season of weed growth during that year. The City shall make proof of service of such notice under oath, and file the same in the office of the County Treasurer.

7-14-020: Compliance with the notice:

The failure of any person to comply with a notice issued pursuant to this article shall be unlawful.

7-14-030: Abatement by City:

If any owner or occupant of land cited in the notice issued pursuant to Section 7-11-8 of this code shall fail or neglect to eradicate or destroy and remove weeds, or growth, in accordance with such notice, the City may employ the necessary assistance and cause such weeds to be removed or destroyed. The City shall prepare an itemized statement of all expenses incurred in their removal and destruction, and shall mail a copy thereof to the owner demanding payment within thirty (30) days of the date of the mailing. The

notice shall be deemed delivered when mailed by registered mail addressed to the property owner's last known address. In the event the owner fails to make payment of the amount set forth in the statement to the City Treasurer within the twenty (20) days, the City may cause suit to be brought in an appropriate court of law or may refer the matter to the County Treasurer as hereinafter provided. In the event collection of the costs are pursued through the courts, the City may sue for and receive judgment upon all of the costs of removal and destruction together with reasonable attorney's fees, interest and court costs. The City may execute on such judgment in the manner provided by law. In the event the City elects to refer the matter to the County Treasurer for inclusion in the tax notice of the property owner, the City shall make in triplicate an itemized statement of all expenses incurred in the removal and destruction of the same, and shall deliver the three (3) copies of the statement to the County Treasurer within ten (10) days after the completion of the work of removing such weeds.

7-14-040: Appeals:

Any person aggrieved by a weed abatement decision is entitled to a hearing by filing a request for such in the City Office with the Enforcement Officer within ten (10) days of receiving notice from the City. The hearing shall be before a Hearing Officer. The hearing officer shall have authority to uphold or overturn any decision properly before him or her regarding weed abatement under this article.

7-14-050: Administrative charge:

An administrative charge in the amount of itemized actual costs incurred by the City pursuant to City abatement procedures shall be levied on all property owners who do not abate identified problems located on their property within the required time allotted them under this Article, in cases where the problems are subsequently abated by the City.

ORDINANCE NO W-G #1

*AN ORDINANCE PROVIDING FOR THE ABATEMENT OF WEEDS, GARBAGE,
REFUSE*