

## WEEDS

### § 94.100 DEFINITION.

(A) Weeds of all kinds are hereby declared a nuisance.

(B) Unmaintained vegetation of any kind is hereby declared a nuisance.

(C) For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**NOXIOUS WEEDS.** Weeds that have been designated by the state as noxious weeds.

(Prior Code, § 18-800) (Ord. 930-00, passed 10-30-2000; Ord. 993-09, passed 6-1-2009)

### § 94.101 DUTY OF OWNER, MANAGER OR LESSEE.

It shall be the duty of the owner, manager or lessee of any lot in the city to keep the lot free from unmaintained vegetation and weeds or to cut the weeds or maintain vegetation. This requirement shall apply not only to the lot but also to the area between the lot line and the street surface within the right-of-way adjoining the lot.

(Prior Code, § 18-801) (Ord. 930-00, passed 10-30-2000)

### § 94.102 NOTICE TO CUT WEEDS AND MAINTAIN VEGETATION.

(A) The Public Safety Administrator or designee shall, by public notice to owners, managers and/or lessees of any lot within the city, require all weeds on that lot be cut and removed, or unmaintained vegetation to be properly maintained. The public notice may be given generally by one annual publication in the official newspaper of the city.

(B) The notice shall provide that each owner, manager or lessee of all lots within the city shall cut and keep cut at all times all weeds, and shall properly maintain all other vegetation, and shall further provide that in case of failure to comply, the city will cause the same to be cut or maintained and assess the cost thereof and any applicable fines and administrative fees against the owner, manager or lessee.

(C) By posting written notice on each lot within the city requiring weeds to be cut or vegetation to be maintained, the city shall regard this as having contacted the owner, manager or lessee of the lot.

(D) Properties within the community of the city that are infested with noxious weeds, will be declared a public nuisance and shall be mitigated immediately by the property owner or by the city, and any costs of this mitigation shall be assessed against the owner, manager or lessee of the property.

(Prior Code, § 18-802) (Ord. 930-00, passed 10-30-2000; Ord. 993-09, passed 6-1-2009; Ord. 1044-16, passed 2-16-2016)

### § 94.103 FAILURE TO COMPLY; MISDEMEANOR.

Failure to cut weeds and keep them cut at all times during the growing season or to properly maintain vegetation is a misdemeanor.

(Prior Code, § 18-803) (Ord. 930-00, passed 10-30-2000) Penalty, see § 10.99

### § 94.104 COST ASSESSED.

If the owner, manager or lessee of any lot fails to cut weeds or properly maintain vegetation on any lot as are required, the Building Inspector may cause the weeds and noxious vegetation to be cut, or unmaintained vegetation to be appropriately maintained and for that purpose may enter upon any lot or parcel of land. The expense thereof and any associated fines, shall be certified to the Finance Officer and the same shall be levied as a special assessment assessed against the owner, manager or lessee of the property.

(Prior Code, § 18-804) (Ord. 930-00, passed 10-30-2000)