

## TITLE 9 CHAPTER 8

### WEEDS

Section:

- 9-8-1: Destruction of Weeds Required
- 9-8-2: Destruction by City, Charges
- 9-8-3: Authority to Employ Labor
- 9-8-4: Penalty

9-8-1:           **DESTRUCTION OF WEEDS REQUIRED:** Every person, whether as owner, tenant, lessee or merely as occupant of any lot, land or premises within the corporate limits of the City, shall at all times and continuously, during the time and dates hereinafter stated, destroy, cut down, weed out and obliterate all weeds, noxious weeds, grasses and growths growing or starting to grow on any such lot, land or premises. Every person, during the time hereinafter stated, shall keep all weeds, noxious weeds, grasses and growths from and off all that part or portion of said lots, lands and premises which lie and are situated between the property line of such respective lots, lands or premises so owned, used or occupied by such person, and the street curb line of any street or alley running or lying immediately adjacent or contiguous to such lots, lands or premises; that portion of land or premises herein last referred to being the sidewalk around, as well as the parking ground fronting, adjacent or contiguous to any such lots, lands or premises.

All such weeds and noxious weeds, grasses and growths which are deleterious, unsightly and injurious to the public or to the residents or owners of adjacent property within the City shall, at all times, continuously be kept weeded out, cut down, obliterated and destroyed between May 31 and October 1 of each and every year.

9-8-2:           **DESTRUCTION BY CITY, CHARGES:** Every person owning or occupying lots, lands or premises situated within the corporate limits of the City shall, within the time fixed by Section 1 hereof, keep continuously destroyed, weeded out, cut down and obliterated all such deleterious, unsightly and injurious weeds and noxious weeds, grasses and growths in or on any and all such lots, lands or premises so owned or occupied by such person in the manner prescribed by and in accordance with the provisions of Section 1 hereof and in the event that such deleterious, unsightly and injurious weeds and noxious weeds, grasses and growths are not so continuously destroyed, weeded out, cut down and obliterated, the Mayor and Council shall cause, through its duly authorized personnel, such deleterious, unsightly and injurious weeds and noxious weeds, grasses and growths to be cut down, sprayed, weeded, cut and destroyed and the costs and expenses of such destruction in cutting down, spraying, weeding out and/or obliterating the same shall be assessed against such property, as general taxes, and collectible as other general State, County and Municipal taxes. Before the costs and expenses of such destruction shall become a lien against the property, the City Clerk is authorized and empowered to notify in writing, the owner of any such lot, place or area within the City, or the agent of said owner, to cut, destroy and/or remove any such weeds, grasses or deleterious, unhealthful growth or other noxious matter found growing, lying or

located on such property. Such notice shall be certified mail addressed to said owner or agent at the owner's last known address. Upon failure, neglect or refusal of any owner or agent so notified to cut, destroy and/or remove weeds, grasses or deleterious, unhealthy growth or other noxious matter, growing, lying or located upon the owner's property within ten (10) days after receipt of written notice, or within ten (10) days after the date of such notice, in the event the same is returned to the City because of the inability to make delivery and provided that the same was properly addressed to the last known address of the owner or agent, that in such event the City Maintenance person is hereby authorized and empowered to commence in cutting, destroying or removing such weeds, grasses or deleterious, unhealthy growth or other noxious matter or to order the removal by the City. The costs of such removal, destruction or cutting shall be determined by the City Council by resolution duly adopted.

9-8-3:           **AUTHORITY TO EMPLOY LABOR:** The Mayor and City Council are hereby given the power and authority to employ such labor as is necessary to carry out the provisions of this Section.

9-8-4:           **PENALTY:** Any person owning or occupying any lots, lands or premises within such incorporated limits of the City who shall fail, refuse or neglect to continuously keep weeded out, cut down, obliterated or destroyed all such deleterious, unsightly and injurious weeds and noxious weeds, grasses and growth above named in the manner prescribed, and according to the provisions of this Section during the time provided for in Section 1 hereof shall be deemed guilty of a misdemeanor. Each and every day any such person shall fail, refuse or neglect to comply with the provisions of this Section shall constitute a separate and distinct offense against the provisions of this Section, and each of such separate offense shall be punishable.