

CITY OF MCVILLE
ORDINANCE NO 97

ORDINANCE REGULATING LENGTH OF GRASS, WEED & OTHER NOXIOUS PLANTS

Be it hereby Ordained by motion made by Ronald Miller seconded by Ryan Johnson the the following Ordinance be hereby adopted as of September 10, 2007 first reading and October 8, 2007 second reading AS FOLLOWS:

DEFINITIONS:

1. "Grass" - shall include any vegetation grown as turf for city resident and business lawns.
2. "Noxious Weeds" shall include noxious vegetation and unhealthful vegetation.
 - (a) The term "noxious vegetation" shall mean and include all weeds.
 - (b) The term "unhealthful vegetation" shall mean and include all vegetation which is in such a state of growth as to constitute a health hazard and/or which is conducive to the breeding of disease.

REGULATIONS:

1. **STANDARD LENGTH OF GRASS** - The grass on a property in the City of McVile shall at no time exceed 6".
2. **NOXIOUS WEEDS PROHIBITED.** It shall be a nuisance and offense for any person owning or occupying any lot or tenement in the City of McVile, to grow or allow to grow thereon any noxious vegetation and/or unhealthful vegetation.

PROVISIONS:

NOTICE TO REMOVE MATERIALS: If any person within the limits of the City of McVile shall permit or suffer on his premises or premises of which he may be the occupant, any violation the City Council, any member of the City Council, or such persons authorized by the City Council shall cause notice to be given such person to remove or abate such material. The notice shall set forth specifically the plant material to be removed and the period of time in which it must be removed.

The time period allowed for cleaning up the materials shall be 7 days from the date of the notice, or if a shorter amount of time may be needed to avoid a public hazard, the time may be set forth by any party listed above.

If said individual in violation of the regulations of this Ordinance shall not comply within a reasonable amount of time as set forth by written notice, the City council may charge this amount on to the individual's city utility bill. If the amount is not collected the amount may be charged against the property owner taxes for that year at time of violation.

FEES FOR VIOLATIONS:

Failure of the owners or occupants therein to keep their property in good condition and upon notice duly performed, shall be billed a rate of \$25.00 per hour, with a minimum of \$50 per occurrence. Or as set forth as \$50.00 per 25' x 140' lot and prorate above at the same specified rate if more land is involved.

AUTHORITY TO SEND NOTICE:

AUTHORIZED PERSONS. The following persons are hereby authorized by the City Council to send out notices and take other actions as set forth in this Ordinance:

1. Any member of the City Council.
2. City Health Officer.
3. Superintendent of Streets.
5. Chief of the McVillevolunteer Fire Department
6. Member of Shade Tree Committee

A copy of said notice shall be filed with the City Auditor at the City Office

SAVING CLAUSE:

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

EFFECTIVE DATE:

This Ordinance shall be in full force and effect following its final passage, adoption and publication. The tax shall be implemented and take effect on January 1, 2002.

First Reading: September 10, 2007

Second Reading: October 8, 2007

Final Passage & adoption: October 8, 2007

Approval _____
Mayor Robert Stanley

ATTEST:

Approval _____
Auditor Renae Arneson