

A NUISANCE ORDINANCE PERTAINING TO WEEDS, GRASS, BRUSH, AND TRASH RECEPTACLES.

- A. Maintenance of private property, public rights-of-way, and easements: All persons owning, occupying, or leasing any lot or tract of land within the City limits shall keep all weeds, grass, and brush growing on such property cut and removed. They shall likewise keep cut and removed all weeds, grass, and brush growing in any areas between their property line and the centerline of all improved or unimproved streets or alleys including, but not limited to, drainage ditches, curbs, sidewalks, easements, or other public rights-of-way of the City of Arcadia or other public entity. Whenever such weeds, grass, or brush shall attain a height of ten (10) inches, it shall be deemed a public nuisance.
- B. Placement and removal of trash receptacles: All residents or occupants of the City may place their assigned trash receptacles along the shoulder of the roadway the day before the scheduled weekly trash pickup, and must remove said trash receptacles from the shoulder of the roadway by the end of the day after the trash pickup.
- C. Unlawful to maintain such nuisance: It shall be unlawful for any person owning, occupying, or leasing any lot or tract of land within the City limits to create, maintain, or allow a nuisance as defined in Subsection A.
- D. **Liability:** Whenever weeds, grass, or brush in violation of Subsection A are allowed to grow on any part of any lot or tract of land within the City Limit, the owner, occupant, and lessee of the lot or tract shall be personally liable. Said liability shall be joint and severable. In cases where growth is located on property held by joint tenancy by entireties or tenancy in common, each owner thereof shall be jointly and severally liable.
- E. **1. Notice:** Whenever any weeds, grass, or brush shall attain the height of ten (10) inches, the City may provide a written warning notice in person, by posting on the front door of the residence located on the lot or tract, or by mail to the owner, lessee, and/or occupant of the lot or tract of land, giving 15 days to abate and mitigate the violation. After the 15 days have passed, the owner, lessee, and/or occupant of that lot or tract of land can be issued a summons or citation for said violation of Subsection A. Whenever trash receptacles are left along the shoulder of the roadway outside of the allowed timeframe, the City may provide a written warning notice in person, by posting on the front door of the residence located on the lot or tract, or by mail to the owner, lessee, and/or occupant of the lot or tract of land for said violation of Subsection B.
2. Subsequent Violations – Same growing season: If weeds, grass, or brush is allowed to grow on the same property in violation of this section more than once during the same growing season, the City may issue a summons or citation for said violation of Subsection A every 30 days until abatement or mitigation of the violation.

- F. Abatement:** If the weeds, grass, or brush nuisance is not abated within 15 days of the date of the written warning notice, the City may issue a summons or citation for violation of Subsection A. If the trash receptacle nuisance is not abated pursuant to written warning notice, the City may issue a summons or citation for violation of Subsection B.
- G. Fines:** Nuisance violations under Subsection A may be fined as follows: 1st violation would result in a \$25 fine, with 2nd and subsequent violations during the same year beginning at \$50 fines each. Nuisance violations under Subsection B may be fined as follows: 1st violation would result in a \$10 fine, with 2nd and subsequent violations being at \$25 fines each.

THIS ORDINANCE HAVING BEEN READ IN FULL ON THIS 9TH DAY OF MAY, 2022,
THE BOARD OF ALDERMEN VOTED AS FOLLOWS:

Alderman Tony Richards	<u>Yea</u>
Alderman Joseph Manning	<u>Yea</u>
Alderman Margie Matthiesen	<u>Yea</u>
Alderman Brian Young	<u>Yea</u>

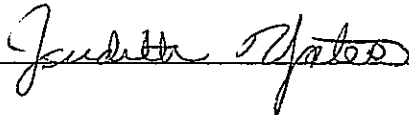
THIS ORDINANCE HAVING BEEN READ BY TITLE ONLY THE SECOND TIME ON
THIS 9TH DAY OF MAY, 2022, THE BOARD OF ALDERMEN VOTED AS FOLLOWS:

Alderman Tony Richards	<u>Yea</u>
Alderman Joseph Manning	<u>Yea</u>
Alderman Margie Matthiesen	<u>Yea</u>
Alderman Brian Young	<u>Yea</u>

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Alderman Brian Young	<u>Yea</u>

This Ordinance passed this 9TH day of MAY, 2022



Judith Yates, Mayor

ATTEST:



Susan Degonia, City Clerk

SEAL

