

BILL NO. 2023 – 24

ORDINANCE NO. 1731

AN ORDINANCE CREATING NEW SECTION 215.010 IN ARTICLE III, ENTITLED WEEDS, HIGH GRASS, OR OTHER VEGETATION ; PROVIDING ABATEMENT AND PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

NOW BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF PAGEDALE AS FOLLOWS:

*Section 1. Keep Weeds, High Grass, and Other Vegetation*

*A. Failure to Keep Weeds, High Grass and Other Vegetation Cut and Removed, A Nuisance.* All persons owning or occupying any lot or tract of land in the City shall keep the weeds, high grass and other vegetation growing on such property cut and removed. Whenever such weeds, high grass or other vegetation shall attain the height of seven (7) inches, it shall be deemed a public nuisance.

*B. Unlawful to Maintain Such Nuisance.* It shall be unlawful for any person to create or maintain a nuisance as defined in Subsection (A).

*C. Liability.* Whenever weeds, high grass or other vegetation in violation of Subsection (A) of this Section are allowed to grow on any part of any lot or ground within the City, the owner of the ground or, in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof shall be liable.

*D. Notice.* The Code Enforcement Officer or other City Official shall give written notice to the property owner either personally, or by United States mail to the owner or owners, or his/her or their agents; or by posting such notice on the premises in a conspicuous place thereupon; the Code Enforcement Officer or designee may declare the weeds, high grass or other vegetation to be a nuisance and order the same to be abated within five (5) days.

*E. Abatement.* In case the weeds, high grass or other vegetation are not cut down and removed within the five (5) days, the Code Enforcement or other City Official shall have the weeds, high grass or other vegetation cut down and removed and shall certify the costs of same to the City Clerk. By entering upon the property and do or cause to be done the work required to abate the nuisance; and; pay for the work done and charge the expenses to the owner of the property.

*F. Tax Bill.* The City Clerk shall cause a special tax bill therefor against the property to be prepared and to be collected by the Collector with other taxes assessed against the property, and the tax bill from the date of its issuance shall be a first lien on the property

until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the City Clerk and delivered to the Collector. Such tax bills if not paid when due shall bear interest at the rate of twelve percent (12%) per annum.

G. *Subsequent Violations.* If weeds, high grass or other vegetation, including noxious growths, are permitted to grow on the same property in violation of this Section more than once during the same growing season, the designated official on behalf of the City of Greendale may, without further notification, have the weeds removed, and the cost of the same shall be billed in the manner described in Subsection (F) of this Section. The provisions of Subsection (F) and this Subsection do not apply to lands owned by a public utility and lands, rights-of-way and easements appurtenant or incidental to land controlled by any railroad.

Section 2. This ordinance and the Code adopted hereby shall become effective April, 13, 2023.

PASSED BY THE BOARD OF ALDERPERSONS OF THE CITY OF PAGEDALE THIS 13 DAY OF April, 2023.

APPROVED BY THE MAYOR OF THE CITY OF PAGEDALE THIS 13 DAY OF April, 2023.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST

  
\_\_\_\_\_  
CITY CLERK