Date: Wednesday, September 07, 2011
To: P&Z
From: Clyde Han, City Inspector
Ref: Request from council to review of "Grass and Weed" ordinance.

During the council meeting on Tuesday, September 6, 2011 a citizens request that the "Nuisance" ordinance for weeds and grass be modified to allow for "Partial" compliance.
The individual had mowed everything except the ditch. A summons was issued by Code Enforcement for non-compliance.
The individual felt they should have been given "credit" for partial compliance and fines reduced.

Council asks that P&Z review our Ordinance and make any recommendations or modifications.

Copied below are excerpts from our "Property Maintenance Code" regarding weeds and the requirement to maintain up to the road edge and ditch.

102.1 The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility.
The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

302.4 Weeds.
All premises and exterior property shall be maintained free from weeds or plant growth in excess of 9 inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.
Ord 5482 3/02/2009

202 PREMISES: A lot, plot or parcel of land, easement or public way, including any structures thereon.