

Sec. 70-14. - Removal required; exceptions.

- (a) It is unlawful, and shall constitute a nuisance for any person who is an owner, owner's agent, occupant, or lessee of any occupied or unoccupied lot or any parcel of land in the city, to fail to comply with the terms and conditions of any noxious weed management plan adopted by the local advisory board or to permit or maintain on any such lot or parcel of land, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb line or the middle of the alley, or for ten (10) feet outside the property line if there is no curb, any accumulation, collection, presence or growth of any of the following:
- (1) Noxious weeds, or
 - (2) Turf grass or weeds over twelve (12) inches in height.

In order to retain certain properties owned by the city, including, but not limited to, designated city parks, open spaces, street rights-of-way, and stream beds and banks, in their natural state, the city is exempt from this requirement as said requirement relates to city-owned properties mentioned herein.

- (b) Any unimproved private property that is immediately adjacent to exempt city property is also exempt from the above turf grass and weed height requirements; however, it is unlawful and constitutes a nuisance for any person who is an owner, owner's agent, occupant or lessee of any such exempt unimproved private property, which is immediately adjacent to a public street or improved public or private property, to permit any growth of turf grass or weeds greater than twelve (12) inches in any area located within twenty (20) feet of any immediately adjacent public street and/or improved public or private property.
- (c) Any private property owner shall be permitted at the property owner's sole cost and expense to cut or mow any area of exempt city property which is located within three (3) feet of and immediately adjacent to the owner's property.

(Ord. No. 2008-31, § 1, 10-7-08; Ord. No. 2009-02, § 2, 2-17-09)