

Section 6.14 Nuisance growth (Ord. 20157)

BILL NO. 1419

ORDINANCE NO. 20157

AN ORDINANCE DECLARING ANY GROWTH OF TREES, SHRUBS, BUSHES, GRASS, WEEDS, PLANTS, DEBRIS OR OTHER VEGETATION WHICH OBSTRUCTS STREET OR HIGHWAY SIGNS, STREET LIGHTS, FIRE HYDRANTS OR VISIBILITY OF AN OPERATION OF A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES TO BE A NUISANCE; WEEDS OVER EIGHT INCHES (8") IN HEIGHT TO BE A NUISANCE; PRESCRIBING THE ABATEMENT AND CREATION OF A LIEN ON REAL PROPERTY OF ABATEMENT COSTS BY THE CITY OF SAID NUISANCE; PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE; AND PRESCRIBING THE PENALTIES FOR VIOLATIONS OF THIS ORDINANCE, AND EXEMPTING CERTAIN LANDS FROM THE PROVISIONS OF THIS ORDINANCE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOOD HEIGHTS, MISSOURI, AS FOLLOWS:

Section 1. Unlawful Growth of Vegetation: Nuisance Declared.

No person, association, corporation, partnership, or other entity, owning, possessing or controlling or leasing any real property within the City of Wood Heights, Missouri shall cause, permit or maintain upon any such property any growth of trees, shrubs, bushes, grass, weeds, plants, or any vegetation (hereafter collectively referred to as vegetation) which obstructs any street or highway sign, or a street light, or which obstructs any motor vehicle operator's ability to observe traffic approaching within twenty-five feet (25') of any street or highway intersection within the City of Wood Heights, Missouri; and the existence of any such trees, shrubs, bushes, grass, weeds, plants, or any vegetation is hereby declared to create a dangerous and hazardous condition and to be a public nuisance.

Section 2. Debris Defined.

Any condition on any lot or land that has the presence of debris of any kind is hereby declared to be a public nuisance, subject to abatement. Debris includes weed cuttings, cut and fallen trees and shrubs, overgrown vegetation and noxious weeds which are eight inches (8") or more in heights, rubbish and trash, lumber not piled or stacked, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, and/or any flammable material. The word "debris" also includes any other material which is found on any lot or land that is unhealthy or unsafe. Any debris within three feet (3') of any fire hydrant shall be a public nuisance.

Section 3. Weed Height Eight (8") Inches.

No person, firm or corporation occupying, owning or controlling or leasing any real estate within the City of Wood Heights, Missouri, shall allow or maintain upon any such lot, real estate or premises any growth of weeds to a height over eight (8") inches or allow any weeds over the heights of eight inches (8") to remain on said real estate or premises.

Section 8. Penalty.

Any person violating any provision of this Ordinance shall upon conviction thereof, be fined in an amount not to exceed Five Hundred Dollars (\$500.00) or by imprisonment for not more than ninety (90) days or both such fine and imprisonment. Each day such violation is committed shall constitute a separate offense and shall be punishable as such hereunder.

Section 9. Repeat Violations.

If, more than once during the same growing season, repeat violations of the same provision by the same person at the same property are reported, the City may, without further notification, have the weeds removed and the cost of the same shall be billed to the owner.

Section 10. Authority of Police, etc., to Enter Upon Premises, etc., for Purpose of Cutting Weeds.

Police Officers and other employees of the City authorized by the Chief of Police are hereby authorized and required to go, in the daytime, upon any lot, premises, or real estate, whether public or private, for the purposes of cutting any weeds defined to be a nuisance in this Ordinance, when said weeds are ordered to be cut under the provisions of this Ordinance. If any person refuses to allow entry onto his private property, the Chief of Police may obtain a warrant from proper official and proceed in accordance therewith.

Section 11. Effective Date.

This Ordinance shall be in full force and effect from and after the date of its passage and approval. All Ordinances or parts of Ordinances in conflict hereafter are hereby repealed (Ordinance 383, 460 and 101117-03 are repealed).

INTRODUCED, READ TWO TIMES, PASSED AND ADOPTED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF WOOD HEIGHTS, MISSOURI, this 21st day of July, 2015.

Robert Pettegrew, Mayor

ATTEST:

Sondra A. Kasserman, City Clerk, MRCC

SEAL