

ORDINANCE NO. 55-2004

AN ORDINANCE ESTABLISHING STANDARDS FOR THE REMOVAL OF NOXIOUS WEEDS AND GRASS.

WHEREAS, The City Council of the City of Washington Court House desires to eliminate unsightly stands of grass and weeds within the corporate limits of the City of Washington Court House; and

WHEREAS, The City Council of the City of Washington Court House after due consultation with the Administration of the City of Washington Court House deems a new ordinance upon this subject advisable.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO AS FOLLOWS:

SECTION 1. That the City Manager or the City Manager's designee shall cause annually a notice to be published in a newspaper of general circulation within the City of Washington Court House, stating that grass and noxious weeds are growing on lands within the corporate limits of said City. Such notice shall not be required to describe the lands or to specify the name of the owner of such property. However, such notice shall constitute notice to all owner(s), lessee(s), agent(s) or tenant(s) having charge of any land or property upon which grass or noxious weeds are growing that the same must be placed into a state of compliance with this Ordinance within five days after such publication and maintained at a height of not more than eight (8) inches.

SECTION 2. That upon the City Manager or the City Manager's designee discovering lands upon which grass or noxious weeds exceed the height of eight (8) inches the City Manager or the City Manager's designee shall conspicuously post upon said property a notice ordering that said property must be placed in compliance with this Ordinance within forty-eight (48) hours. The City Manager or the City Manager's designee shall note upon the posting the date and time upon which said posting was erected.

SECTION 3. That upon any lands or property upon which grass and noxious weeds exceed the height of eight (8) inches and unto which a posting has been erected and a state of conflict with this Ordinance persists past the forty-eight hour deadline of the posting, the City Manager or the City Manager's designee shall cause said lands or property be to mowed to a height of less than eight (8) inches. The cost of said mowing shall be calculated by the City Manager or the City Manager's designee and shall be billed to the owner of record for the property in question.

SECTION 4. That upon any owner of record of lands or properties to which the City Manager or the City Manager's designee having so billed for mowing services fails to satisfy said billing, then from time to time, the Director of Finance shall certify said billing and cause said billing to be communicated to the Auditor of Fayette County and said billing shall

be entered upon the tax duplicate, shall constitute a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City of Washington Court House and credited to the General Fund.

SECTION 5. That for the purposes of this Ordinance GRASS shall be interpreted to mean any of a large family (Gramineae) of the monocotyledonous, mostly herbaceous plants with jointed stems, slender sheathing leaves, and flowers borne in spikelets of bracts.

SECTION 6. That for the purposes of this Ordinance NOXIOUS WEEDS means any type or species that have been so classified as noxious plants by the State of Ohio or any official instrumentality of the State of Ohio. However, regardless of classification by the State of Ohio or any official instrumentality thereof, NOXIOUS WEEDS shall include ragweeds, white top daisies, goldenrod, burdock, yellow dock, dandelions, thistles, wild carrot and any other weed or vegetable which exhales offensive odors or from which is carried by the wind any injurious, offensive or annoying pollen, dust, down, seed or particle, or which may conceal deposits of filth.

SECTION 5. That this Ordinance shall take effect and be in full force from and after the earliest date permitted by law.

PASSED:

July 14, 2004

Wesley Hedrick
CHAIRPERSON OF COUNCIL

ATTEST:

Jane M. Keaton
CLERK OF COUNCIL

APPROVED AS TO FORM:

Mark Stetson
CITY ATTORNEY