

ORDINANCE NO. 666

AN ORDINANCE AMENDING CHAPTER 6.32 TO DELETE THE FORMER SECTION AND TO ADOPT A NEW ORDINANCE NO. 6.32 REGARDING GRASS, WEEDS, VINES AND BRUSH.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CAMANCHE, IOWA:

Section 1. PURPOSE. The purpose of this ordinance is to require owners of residential property to cut their grass, weeds, vines and brush when it exceeds eight (8) inches in height, as such is declared a nuisance. In any area of the City within one hundred (100) feet of any developed area, any weeds, vegetation, vines, brush or other growth which exceed ten (10) inches in height shall be deemed a nuisance. In all other areas of the City, any weeds, vegetation, vines, brush or other growth which exceeds two (2) feet in height shall be deemed a nuisance. Natural areas, including, but not limited to, waterways or farmland, may exceed these established height limitations. The aforementioned growths are all declared to be weed and grass nuisances.

Section 2. DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Boulevard" means the property outside a property owner's lot and property lines and inside the curb lines upon the public streets or, in the absence of a curb, from the traveled portion of the public streets to the lot or property line.

2. "Residential property" means a property located in an area occupied by residential dwellings including, but not limited to, houses and apartments and any property within 200 feet of said dwelling.

Section 3. MAINTENANCE OF BOULEVARD AND RESIDENTIAL PROPERTY. All owners of residential property shall maintain their property and the abutting boulevard by cutting or destroying all grasses, weeds, vines and brush when said growth exceeds eight (8) inches in height.

Section 4. RURAL AREA-DUTY TO MAINTAIN. It is the responsibility of any and all property owners to maintain their property and the public right-of-way between the property line and the driving surface of any driveable street to keep it free of any and all weed nuisances as defined in paragraph 1 and

3.17, Iowa Code between April 1 and November 1 of each year.

Section 5. FAILURE TO MAINTAIN. Any property owner who allows a weed nuisance or grass nuisance to exist on the property during the time period mentioned above will be subject to the abatement procedures as outlined in Section 6 of this Code of Ordinances, except as otherwise provided for herein.

Section 6. REQUIRED NOTICE. The City shall publish notice of the maintenance requirements of this chapter and the penalties and procedures involved with noncompliance hereof. The notice shall be published once in the Clinton Herald. Each notice shall contain the following information and shall generally conform to the following:

1. An adequate definition of what constitutes a weed nuisance or grass nuisance as defined in this Code.
2. What form and level of maintenance is required of the property owner.
3. What time frame this chapter covers (April 1 through November 1).
4. The actions the City will take to abate the nuisance in the absence of the property owner's maintenance and the fact that all costs will be assessed.
5. The hourly and other miscellaneous charges to be assessed against the property for any work done.
6. The fact that this notice will be the only notice given of this requirement. Failure to pay shall result in the costs being assessed against the property for collection in the same manner as a property tax.
7. The City shall appoint a Weed Nuisance Inspector.

Section 7. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudicated invalid or unconstitutional.


Section 9. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed by the Council on the 6th day of April, 2004, approved this 6th day of April, 2004.

  
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Mayor ~~HIGGINS/KAMPE~~

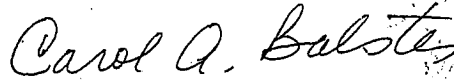
pro-tem James R. Robertson

Attest:

  
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City Clerk - Carol Balster

Adoption Date: April 6, 2004.

I, Carol A. Balster, City Clerk/Treasurer, do hereby certify that three copies of this Ordinance No. 666 were posted according to law on the 7th day of April, 2004, at City Hall, Camanche State Bank (now Clinton National Bank), and Kopp's Market (now Camanche Super Valu).

  
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Carol A. Balster, City Clerk/Treasurer