

CHAPTER 52

WEEDS

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52.01 PURPOSE. The purpose of this chapter is to provide for the cutting and control of weeds and tall grass within the City.

52.02 DEFINITION. The term “weed” for use in this chapter is defined as all rank vegetable growth which exhales unpleasant obnoxious odor and also high and rank vegetable growth that may conceal vermin, rodents and pests, including but not limited to all noxious weeds, specifically: quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), Canada thistle (*Cirsium arvense*), bull thistle (*Cirsium lanceolatum*), horse nettle (*Solanum carolinense*), leafy spurge (*Euphorbia esula*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea repens*), buckthorn (*Rhamnus*, not to include *Rhamnus frangula*, and all other species of thistles belonging in genera of *Cirsium* and *Carduus*), butterprint (*Abutilon theophrasti*) annual, cocklebur (*Xanthium commune*) annual, wild mustard (*Brassica arvensis*) annual, wild carrot (*Daucus carota*) biennial, buckhorn (*Plantago lanceolata*) perennial, sheep sorrel (*Rumex acetosella*) perennial, sour dock (*Rumex crispus*) perennial, smooth dock (*Rumex altissimus*) perennial, poison hemlock (*Conium maculatum*), multiflora rose (*Rosa multiflora*), wild sunflower (wild strain of *Helianthus annus L.*) annual, puncture vine (*Tribulus terrestris*) annual and teasel (*Dipsacus*) biennial. The multiflora rose (*Rosa multiflora*) shall not be considered a noxious weed when cultivated for or used as understock for cultivated roses or as ornamental shrubs in gardens.

52.03 COMPLIANCE REQUIRED. No person shall violate any of the provisions of this chapter, either by an act of omission or commission or by failing to cut the weeds or tall grass required by this chapter to be cut, after notice being given in a newspaper of general circulation in New Sharon and posted at the New Sharon Post Office, notifying residents of the requirements of this chapter.

52.04 RESPONSIBILITY TO CUT; CITY ACTION. The owners, agents or occupants of all lots and parcels of ground within the City shall cut, or cause to be cut, all weeds or tall grass on their respective premises as aforesaid not later than May 15, June 15, July 15, August 15 and September 15 respectively, each year. Notwithstanding the previous statement, owners, agents or occupants of all lots and parcels of ground within the City shall cut, or cause to be cut, all weeds or grass on their respective premises to a height not to exceed twelve inches. If any lot or parcel of ground within the City has not been cut, or has weeds or grass twelve inches or higher on May 15, June 15, July 15, August 15 and September 15 respectively, each year. In case this section is not complied with within three days after the dates above fixed, the Mayor may cause such weeds or grass to be cut.

52.05 STREETS AND ALLEYS; RESPONSIBILITY OF ABUTTING OWNERS; CITY ACTION. The owners, agents or occupants of all lands abutting any of the streets and alleys within the City shall keep such streets and alleys free from brush, weeds and rubbish.

Such brush, weeds and rubbish shall be removed not later than May 15, June 15, July 15, August 15 and September 15 respectively, each year. In case this section is not complied with within three days after the dates above fixed, the Mayor may cause the removal of such brush, weeds and rubbish.

52.06 ASSESSMENTS. The Mayor shall keep an itemized account of all work done under Sections 52.04 and 52.05, and shall report the same to the Council, with the names, if known, of the owners, agents or occupants of such premises, together with a description of the land or parcel of land concerned. The amount of the assessment contemplated (minimum assessment \$300.00) for the work done under Sections 52.04 and 52.05 shall be established by resolution of Council as may be approved. An invoice will be mailed to the owners, agents or occupants of such premises. The notice of unpaid assessment contemplated in this chapter shall be given not later than December 15th of the year and at least twenty (20) days prior to the time thus fixed for such hearing and shall give notice thereof to all concerned that proposed assessment is on file and that the amounts as shown therein will be assessed against the several lots, tracts of land, or parcels for such hearing, unless objection is made thereto. Notice of such hearing shall be given by one publication in the paper of general circulation in New Sharon and the New Sharon Post Office. At such time and place, the owner of said premises or anyone liable to pay such assessment, may appear with the same rights given by law before boards of review in reference to assessments for general taxation. The Council shall by resolution fix a time for passing on the matter of levying a special assessment against private property for such weed cutting. The Council shall give to the owner of the property affected notice of the time and place fixed for considering the matter of levying a special assessment against the property concerned. At the time and place fixed, the Council shall consider and dispose of all objections as contemplated in Section 317.21 of the *Code of Iowa*. The Council shall then by resolution levy such assessment as may be appropriate against the property in the same manner as other special assessments.

52.07 HINDRANCE OF CITY OFFICIALS UNLAWFUL. No person shall hinder, obstruct or otherwise interfere with the agents, personnel, representatives, or independent contractors of the City while engaged in carrying out the provisions of this chapter.

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