

## Chapter 8-5

### WEEDS

#### Sections:

- 8-5-1 Declaration Of Hazard**
- 8-5-2 Duty Of The Owner Or Occupant**
- 8-5-3 Notice**
- 8-5-4 Removal By Commissioner**
- 8-5-5 Certifying Assessments**
- 8-5-6 Definitions**
- 8-5-7 Municipal Infraction**
- Section 8-5-1 Declaration Of Hazard**

It is hereby declared that all noxious weeds, as defined in Section 317.1 of the Code of Iowa, growing upon all lands and lots within the City, constitute a health, safety or fire hazard.

#### **Section 8-5-2 Duty Of The Owner Or Occupant**

It shall be the duty of the owner or occupant of all lots and lands to keep said lots and lands and a space to the curb line on all streets, and in all alleys ten feet (10') outside of the lot line and abutting thereon, free from all weeds.

#### **Section 8-5-3 Notice**

Should any owner or occupant fail or neglect to keep his/her lots and lands and the streets and alleys abutting thereon, free from the above described weeds at all times, the Weed Commissioner shall cause notice to be given to such owner or occupant directing that all such weeds be removed from said premises within five (5) days from the time of service of said notice; said notice shall further provide if the owner or occupant fails to do so that said Weed Commissioner shall enter upon said premises and cause the same to be removed and the costs of the same and expenses hereof shall be assessed against the property.

#### **Section 8-5-4 Removal By Commissioner**

If the owner or occupant of any such lots or land fail to comply with said notice, the Weed Commissioner shall cause the same to be sprayed, removed or cut and report to the Clerk the name of the owner, the description of the lots or lands and the amount of charges and expenses of cutting and removing such weeds.

#### **Section 8-5-5 Certifying Assessments**

The Clerk is hereby directed, upon receipt from the Weed commissioner of the costs and expenses and other information provided for in Section 8-5-4 above, to certify the said costs and expenses to the County

Auditor, which costs and expenses shall be assessed against the land and the owner thereof and shall be collected with, and in the same manner as general property taxes.

#### **Section 8-5-6 Definitions**

(A) The term "WEEDS" as used in this Chapter shall refer to all weeds, vines, brush or other growth, except shrubs, trees, vegetables, fruits, flowers and grasses other than noxious.

(B) The term "WEED COMMISSIONER" herein refers to an individual duly appointed by motion of the Council to carry out the terms and provisions of this Chapter if such a person has been separately appointed and shall also include the City Administrator and the Code Enforcement Officer or other designated official.

#### **Section 8-5-7 Municipal Infraction**

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.