

CHAPTER 52

WEEDS

52.01 Noxious Weeds Defined
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52.04 Destruction by Owner
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52.01 NOXIOUS WEEDS DEFINED. The following weeds are declared to be noxious and shall be divided into two classes:

1. Primary noxious weeds, which include quack grass, perennial sow thistle, Canada thistle, bull thistle, European morning glory or field bindweed, horse nettle, leafy spurge, perennial peppergrass, Russian knapweed;
2. Secondary noxious weeds, which include butterprint, cocklebur annual, wild mustard annual, wild carrot biennial, buckhorn perennial, sheep sorrel perennial, sour deck perennial, smooth dock perennial, and puncture vine annual.

52.02 WEED COMMISSIONER DEFINED. “Weed commissioner” means the Weed Commissioner appointed by the County Board of Supervisors.

52.03 ENCROACHING SIDEWALKS. It is unlawful for any person to permit any weeds, thistles, brush or plants to overhang or encroach upon any sidewalk adjoining the owner’s property.

52.04 DESTRUCTION BY OWNER. Each owner, and each person in possession and control of any lands, shall cut, burn or otherwise destroy, in whatever manner may be prescribed by the Board of Supervisors, all noxious weeds thereon as defined in this chapter at such times each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said land free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel.

52.05 FAILURE TO COMPLY; REPORT. In case of substantial failure to comply with the order of the Board of Supervisors for destruction of noxious weeds, and after five days’ notice to the land owner, the Street Commissioner shall forthwith report such failure to the Weed Commissioner, for such official to cause such weeds to be destroyed and the expense of such destruction and the cost of any special meetings, if any, to be paid from the County General Fund and recovered later by assessment against the property on which the weeds are growing.

52.06 OWNER RESPONSIBILITY. A reasonable portion of the cost mentioned in Section 52.05 may be assessed, as part of the cost of destruction, against the landowner responsible for destroying such weeds.

CHAPTER 53

GRASS AND WEEDS

53.01 Purpose	53.06 Notice to Abate
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53.01 PURPOSE. The purpose of this chapter is to beautify and preserve the appearance of the City by requiring property owners and occupants to maintain grass areas and lawns at a uniform height within the boundaries of their property and on abutting the street right-of-way in order to prevent unsightly, offensive or nuisance conditions.

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

1. "Agricultural areas" mean that portion of agricultural ground not being used for pasture purposes or row crop production.
2. "Brush" means native growing woody weeds, but does not include hedges, bushes, or similar ornamental foliage intentionally grown and maintained by the property owner.
3. "Curb," "curb line" or "curbing" means the outer boundaries of the street at the edge of that portion of the street usually traveled by vehicular traffic.
4. "Cut" or "mow" means to mechanically maintain the growth of grass, weeds or brush at a uniform height.
5. "Mowing Season" means the months which grass is likely to be growing which would include the months of April, May, June, July, August, September, and October.
6. "Owner" means a person owning private property in the City and any person occupying private property in the City.
7. "Parking" means that part of a street in the City not covered by a sidewalk and lying between the lot line or property line and the curb line; or on unpaved streets, that part of the street lying between the lot line or property line and that portion of the street usually traveled by vehicular traffic.

53.03 CUTTING SPECIFICATIONS AND STANDARDS OF PRACTICE.

1. Every owner shall cut, mow and maintain all grass, weeds and brush upon the owner's property and adjacent to the curb line or outer boundary of any street, which includes the parking area abutting the owner's property, to a uniform height.

2. Every owner shall cut, mow and maintain grass, weeds and brush adjacent to the curb line, including the parking area abutting the owner's property, in such a manner so as to be in conforming with and at an even height as other grass, weeds or brush growing on the remainder of the owner's property.

53.04 UNIFORM HEIGHT SPECIFICATIONS. Grass, weeds or brush shall be cut, mowed and maintained so as not to exceed the following height specifications:

1. Residential, Business and Industrial Areas – not to exceed six inches (6").
2. Agriculture Areas – not to exceed fifteen inches (15").

Grass, weeds, and brush that are allowed to grow in excess of the above-specified limitations are deemed to be violations of this chapter.

53.05 NOXIOUS WEEDS.

1. Every owner shall cut and control noxious weeds upon the owner's property and adjacent to the curb line or outer boundary of any street, which includes the parking area abutting the owner's property, by cutting noxious weeds to ground level or use of herbicides to eliminate or eradicate such weeds.

2. Noxious weeds include any weed growth or plant designated as noxious by the State Department of Natural Resources rules and regulations or by the Code of Iowa.

53.06 NOTICE TO ABATE. Upon discovery of any violations of this chapter, the City may within five (5) days initiate abatement procedures as outlined in Chapter 50 of the Code of Ordinances of the City of Carson, Iowa.

53.07 ADDITIONAL VIOLATION. Any property owner who violates the provisions of the chapter shall be given one (1) courtesy notice per mowing season. Additional notice of violation will be given to the owner in the same manner as provided in Sections 50.06 and 50.07 of the City Code. The owner may request a hearing before the City Council in the same manner as provided in Section 50.08 of the City Code.

53.08 CHARGES. Property which is not mowed by the date specified in the said notice of violation may be mowed by the City or their agents, and a charge of \$75.00 per hour for such mowing, plus a surcharge of \$100.00, will be charged to the property owner.

53.09 COLLECTION OF COSTS. The Clerk shall send a statement of the total expense incurred by certified mail to the property owner who has failed to abide by the notice of violation, and if the amount shown by the statement has not been paid within one (1) month from the date of the mailing of the statement, the Clerk shall certify the costs to the County Treasurer and such costs shall then be collected with, and in the same manner, as general property taxes.

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