

ORDINANCE 300

AN ORDINANCE AMENDING THE CITY CODE OF BUFFALO, IOWA
BY CREATING A NEW CHAPTER 11 TO TITLE VI OF
THE CITY CODE REGARDING THE
REGULATION OF WEEDS

BE IT ENACTED by the City Council of the City of Buffalo, Iowa, that a new Chapter 11 to Title VI of the City Code of Buffalo, Iowa, shall be added as follows:

Section 1.

6-11.01 NOXIOUS WEEDS ENUMERATED. The following weeds are hereby declared to be noxious: Quack grass, Agropyron repens; perennial sow thistle, Sonchus arvensis; Canada thistle, Cirsium arvense; bull thistle, cirsium lanceolatum; European morning glory or field bindweed, Convolvulus arvensis; horse nettle, Solanum carolinense; leafy spurge, Euphorbia esula; perennial pepper-grass, Lepidium draba; Russian knapweed, Centaurea repens; buckthorn, Rhamnus 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; puncture vine, Tribulus terrestris, annual; teasel, Dipsacus, biennial.

6-11.02 WEEDS TO BE DESTROYED. All owners and persons in possession or control of any lands within the City shall:

- (1) Prevent the growth of noxious weeds from reaching maturity or blooming by cutting or destroying same.
- (2) Cut or destroy all weeds, vines, brush or other growth when said growth exceeds ten (10) inches in height in all developed areas or within two hundred (200) feet of any developed area or urban street. In other areas of the City, all weeds, vines, brush or other growth shall be cut or destroyed when said growth exceeds two (2) feet. Natural areas, including but not limited to waterways or farmland, may exceed these established height limitations.
- (3) Prevent any growth of weeds, vines, brush or other plant material which constitutes a health, safety or fire hazard regardless of height.

6-11.03 TIME FOR CUTTING WEEDS AND ASSESSMENT OF COSTS.

(a) If a property owner or person in possession of lands within the City fails to destroy the weeds, vines, brush or other growth as set out in this article and after notice is given as provided by this article, the Director of Public Works or such person's designee shall order the work to be done.

(b) The total cost and expense of destroying the weeds or growth shall be paid and assessed against the land as provided by law. Costs may be established by the Council from time to time by resolution.

6-11.04 NOTICE TO OWNERS. Notice to the owner or person in control of lands within the City subject to the provision of this article shall be as follows: The Director of Public Works shall cause to be published on or before April 15 of each year in a newspaper of general circulation within the City a notice stating that work of cutting or destroying weeds, vines, brush or other growth is required to be done during the months of May through October, inclusive, and a statement that property owners have five (5) days, not including Saturdays, Sundays, holidays, within which such owners may cause the work to be done. Further, the notice shall state that failure to comply after publication of the notice will result in the work being done by the City, and the costs incurred by the City shall be assessed against the property in the manner provided by law. No further notice shall be required.

6-11.05 BILLING. Each owner shall be sent by first class mail to the address noted on the tax rolls of the City a bill for the work performed informing the owner of the cost of such work and the Council's intent to assess the cost if not paid in ten (10) days to the City Clerk. Any bill remaining unpaid after the ten (10) day period may be assessed against the property in the manner provided by law.

Section 2.

The regulation of weeds and procedures available to the City of Buffalo pursuant to this ordinance are intended to be cumulative, and in addition to the abatement of nuisance remedies provided to the City pursuant to Title III, Chapter 1 of the City Code of Buffalo, Iowa.

Section 3.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4.

If any section, subsection, sentence, clause, or phrase 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, subsection, sentence, clause, or phrase hereof not adjudged invalid or unconstitutional.

Section 5.

This ordinance shall become effective upon publication as required by law.

APPROVED by the City Council of the City of Buffalo, Iowa, this 03 day of January, 1994.

APPROVED and signed by the Mayor of the City of Buffalo, Iowa, this 03 day of January, 1994.



Phil C. Hoover, Mayor
City of Buffalo, Iowa

ATTEST:


Carol A. Bernauer, City Clerk

1st reading passed 11/01/93
2nd & 3rd reading waived, passed and adopted on 1/3/94.
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