

**Chapter 65 – Weeds****65.010 Cutting of Weeds.**

It shall be unlawful for any owner or occupant of any property within the city limits to permit or maintain on any such property, any growth of weeds, grass or other rank vegetation to a greater height than ten (10) inches on the average, or any accumulation of dead weeds, grass or brush. Same is hereby deemed to be a nuisance. Upon conviction, such person shall be punished as provided herein, and every day such nuisance is maintained shall constitute a separate and distinct offense. This ordinance shall not apply to any land used for the pasturing of animals or the growing of crops or vegetables.

**65.015 Maintaining Platted Streets, Rights-of-Way and Easements.**

Whenever private property abuts a platted street, right-of way, or easement belonging to the City of Moscow Mills, or any public entity, and there exists in such platted street, right-of way, or easement a lawn or grassy area between the private property line and midline of said platted street, right-of way, or easement, then such lawn or grassy area shall be considered, for purposes of this Chapter, to be a part of the private lot which abuts the platted street, right-of way, or easement, and it shall be the duty of the those responsible under this Chapter for the maintenance of the private lot to equally maintain the lawn or grassy area within the abutting platted street, right-of way, or easement, and all of the provisions of this Chapter shall apply with equal force and effect to said lawn or grassy area. This section shall not apply to those areas of the City shown on the map located at City Hall and marked as Moscow Mills, TWP4N-R1E of the 5<sup>th</sup> PM, 1942, Surveyed March 17, 1821, Copy by L.M. Heckman, Mo., E-397---1974.

**65.020 Duty of owner or occupant to remove weeds.**

It shall be the duty of any owner or occupant of any property to cut and remove or cause to be cut and removed all such weeds, grass or other rank vegetation as often as may be necessary to comply with the provisions of 65.010 and 65.015.

**65.030 Abatement procedure.**

This section shall apply to the abatement of weeds. This section is in addition to the penalty provision provided for in Section 65.010 and 65.015.

A. *Liability.* Whenever weeds are allowed to grow on any part of any property within the City, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable.

B. *Notice.* The Chief of Police shall give a hearing after ten (10) days' notice thereof, either personally or by United States mail to the owner or owners, or his or their agents, or by posting such notice on the premises; thereupon, the Chief of Police may declare the weeds to be a nuisance and order the same to be abated within five days.

C. *Disposition.* In case the weeds are not cut down and removed within the five days, the Chief of Police shall have the weeds cut down and removed, and shall certify the costs of same to the city clerk.

D. *Tax Bill.* The City Clerk shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first (1st) day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent (9%) per annum.

*Adopted by Ordinance 6/14/93. Amended by: Ordinance #234, 5/10/04. Ordinance #342, 9/11/06. Ordinance #414, 6/11/07. Ordinance #430, 12/10/07.*