

ORDINANCE NO. 05-2014

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GARNAVILLO, IOWA, BY ADDING A CHAPTER PERTAINING TO GRASS AND WEEDS

WHEREAS, the Garnavillo City Council has determined that Ordinance Number 05-2014 shall be placed as a new chapter, Chapter 52 Grass and Weeds, within the Code of Ordinances of the City of Garnavillo.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Garnavillo, Iowa as follows:

SECTION 1: Adding Chapter 52 GRASS AND WEEDS;

52.01 PURPOSE. The purpose of this section is to establish a maximum height that grass and weeds on lands within the City may be grown before the grass and weeds must be cut.

52.02 HEIGHT OF GRASS AND WEEDS. Grass and weeds growing on lands within the City shall be cut on a periodic basis so that the height of such grass and weeds is never greater than ten (10) inches in height.

52.03 VIOLATION. Upon the determination by the designated municipal officer by visual observation and measurement that a violation of this section has occurred, the City shall send written notice by certified mail to the landowner informing said owner of the problem and the action that is to be taken.

52.04 NOTICE. The notice shall set forth that the property owner has seven (7) days from the date of the notice to have the grass and weeds cut so that the height conforms to this chapter. The notice shall set forth the address of the property in question and will instruct the landowner that this notice constitutes notice for the balance of the calendar year that further action will be taken by the City to remedy the problem if it occurs again on the same property without additional written notice being given.

52.05 FAILURE TO CUT GRASS AND WEEDS. If any such owner, who has been sent notice, fails to cut the grass and weeds on said owner's property as set forth in the notice so that it conforms to this chapter within the time period set forth in the notice, the City will mow the grass and weeds so that the property conforms to this chapter. The cost of this action shall be assessed against the property for collection in the same manner as property taxes. The fee for this service shall be set by resolution.

52.06 COLLECTION OF CHARGES. The City Clerk shall mail a statement of the total expense incurred to the property owner who has failed to abide by the notice to abate, and if the amount shown by the statement has not been paid within thirty (30) days, the City Clerk shall certify the costs to the County Treasurer and they shall then be collected in the same manner as general property taxes. (Code of Iowa, Sec. 364.12(3)(h))

52.07 ADDITIONAL VIOLATION. Any landowner who violates this chapter shall be given one notice per summer and the City shall be authorized to respond to additional violations without additional written notice being given.

52.08 EXCEPTIONS. This chapter pertains to all residential, commercial and industrial land within the City limits, but excludes agricultural land within the City or land being used as agricultural use.

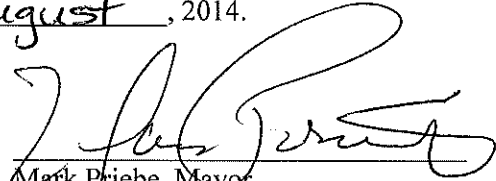
SECTION 2. Each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

SECTION 3. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Garnavillo, Iowa, and made a part of said Code as provided by law.

SECTION 4. All Ordinances or parts of Ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its final passage, approval and posting as provided by law.

Passed and approved by the Council this 9th day of August, 2014.


Mark Priebe, Mayor

ATTEST:

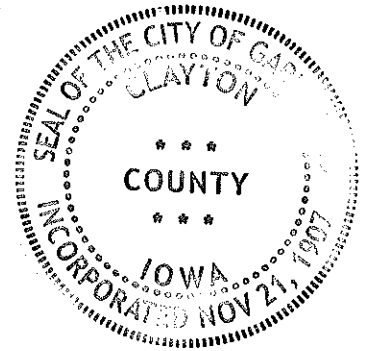

Denise Schneider, City Admin/Clerk

Ordinance No. 05-2014

First Reading: 8/9/14

Second Reading: 8/19/14

Final Reading & Passage: 8/19/14



I certify that the foregoing was posted as Ordinance No. 05-2014 on the 11th day of August, 2014 until the 21st day of August, 2014.


Denise Schneider, City Administrator/Clerk