

**City of Roosevelt Park**  
**Ordinance 07-01**  
**Grass, Leaves, Weeds, and Landscape Maintenance**

An ordinance to provide detailed enforcement of the environment with such items as grass, leaves, weeds and landscape maintenance.

**CHAPTER 12 ENVIRONMENT**  
**ARTICLE IV. GRASS, LEAVES, WEEDS AND LANDSCAPE MAINTENANCE**

**Sec. 12-69. Responsibility.**

Every owner, lessee, occupant, or person having charge of any property or premises within the City is required to maintain the lawn and landscaping located on such property or premises in a manner so as not to violate this Section, and such owner, lessee, occupant or person in charge of the property or premises remains liable for violations of this Section regardless of any agreement with any third party regarding such property or premises.

**Sec. 12-70. Public nuisance.**

The following acts and conditions, when performed or existing upon any property, lot or parcel of land within the City, are declared to be unlawful and are defined as and declared to be public nuisances which are injurious or potentially injurious to the public health, safety and welfare and/or have a tendency to degrade the aesthetic appearance and property values of or injure or potentially injure surrounding property:

- (1) Dead, decayed or hazardous trees, weeds or other vegetation dangerous to the public safety and welfare or which constitute a fire hazard, including without limitation the following:
  - a. Overgrown grass, weeds or other vegetation to a height greater than eighteen inches likely to harbor rats or other vermin.
  - b. Overgrown grass, weeds or other vegetation to a height greater than eighteen inches having the potential to depreciate the property values of other properties in the immediate neighborhood.
- (2) Inadequately maintained lawns or landscaping which is visible from any public street, property, or right-of-way and which, either alone or in combination with other conditions on the subject property, tends to degrade the aesthetic quality of or tends to reduce property values in the immediate neighborhood, including without limitation any of the following:
  - a. Lawns growing in excess of six inches in height.

- b. Leaves that have not been raked or otherwise removed from lawns or landscaped areas.
- c. Failure of any property owner, with the exception of single-family homeowners, to substantially comply with any landscaping plans previously approved by the City in connection with the City's issuance of any land use approval.

**Sec. 12-71. Enforcement.**

Prior to the enforcement of this Section, the city manager or his agent is authorized to notify the owner either by personal service or first class mail, of any parcel of land, or the agent of the owner, to cut, destroy and/or remove the material and vegetation referred to in Section 12-70 and to keep it cut, destroyed and/or removed. The notice shall also provide the remedies available to the City, as set forth in Section 12-72, should the owner or the agent of the owner fail to take corrective actions.

**Sec. 12-72. Work done at owner's expense.**

- (a) If at any time during a period commencing five (5) days after the delivery of notice the city manager or his agent, shall find that any owner or owner's agent has failed to cut, destroy and/or remove the material and vegetation referred to in Section 12-70 he shall cause such material and vegetation to be cut, destroyed and/or removed and bill the owner for the cost thereof.
- (b) Such unpaid charges shall become a lien upon the property on which such work has been done.
- (c) Payment shall be due to the City within 30 days of the bill being sent to the property owner for the performance of such services. The bill shall notify the property owner of his or her right to dispute all or any part of the bill before a hearing officer, prior to the due date of the bill. Except as otherwise determined by the hearing officer, if payment is not received by the City within 30 days after such billing, the city treasurer shall add an additional penalty of one percent per month to the delinquent bill. The city treasurer shall annually, on May 1, certify any delinquent billing, or any part thereof, together with all accrued interest and penalty; and, it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual City tax roll. Such charges so assessed shall be collected in the same manner as general City taxes.

**Section 12-73. Severability**

Should any part of this ordinance be held invalid by a Court of Competent Jurisdiction, the remaining parts shall be severable and shall continue in full force and effect.

**Section 12.74 Ordinance Repeal**

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

**Section 12-75. Ordinance Adoption**

The City Clerk shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval as required by law.

---

Marcia Jeske, City Clerk

Introduced: February 20, 2007  
Adopted: March 5, 2007  
Published: March 10, 2007  
Effective: March 20, 2007