

ORDINANCE NO. 157

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, MISSOURI, AS FOLLOWS:

**CHAPTER 65. WEEDS, GRASS, AND VEGETATION**

65.010. Cutting and removal of grass, weeds, and vegetation. It shall be unlawful for any owner, lessee, or occupant, or any agent, servant, representative, or employee of any such owner, lessee, or occupant having control of any occupied lot or land or any part thereof in the City, or for any owner, lessee, or occupant, or any agent, servant, representative, or employee of any such owner, lessee, or occupant having control of any unoccupied lot or land or any part thereof in the City which is surrounded on three or more sides by occupied land, to permit or maintain on any such lot or land, or on or along the sidewalk, street, or alley adjacent to the same between the property line and the curb, any growth of weeds, grass and poisonous or harmful vegetation to a greater height than Six (6) inches on the average, and it shall also be unlawful for any person or persons to cause, suffer, or allow poison ivy, ragweed, or other poisonous plant, or plants detrimental to health to grow on any such lot or land in such manner that any part of such ivy, ragweed, or other poisonous or harmful weed shall extend upon, overhand, or border any public place or allow seed, pollen, or other poisonous particles or emanations therefrom to be carried through the air into any public place, and the growth of such weeds, grass, and poisonous or harmful vegetation of a height of more than Six (6) inches is and hereby is declared to be a nuisance.

65.020. Duty of owner, lessee, or occupant. It shall be the duty of any owner, lessee, or occupant of any lot or land to cut and remove or cause to be cut and removed all such weeds, grass, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of Section 65.010.

65.030. When City to do work. If the provisions of this Chapter are not complied with, the Police Chief or other official designated by the Mayor, shall hold a hearing after 10 (10) days notice thereof given to the owner of the lot or his agent, the occupant if any, and the lessee if any. Following the hearing, the Police Chief or other designated official may declare the weeds to be a nuisance and order the same to be abated within 10 (10) days, the Police Chief or other designated official shall have the weeds, grass and vegetation cut down and removed and shall certify the cost of the same to the City Clerk. The City Clerk shall cause a special tax bill therefor against the property to be prepared and to be collected by the county collector, with other taxes assessed against the property. 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 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 county collector on or before the first day of June each year. Such bills if not paid when due shall bear interest at the legal rate of interest as provided by state statute.

65.040. Penalty. Each person who shall neglect to cut and remove weeds, grass, or other vegetation as directed in this chapter, or who shall fail, neglect, or refuse to comply with the provisions of any notice herein provided or who shall resist or obstruct the Police Chief or other representative of the City in the cutting and removal of weeds, grass, and other vegetation, shall upon conviction thereof, be guilty of a misdemeanor. The preparation of a tax bill, as authorized by Section 65.030, shall not relieve any person of liability under this Section.

1. Each person convicted of a violation of this Section shall be penalized by a fine of at least \$ 10 and up to \$ 100. this Code.

2. Each day on which a violation of this Ordinance continues shall constitute a separate offense.

65.050. Weeds between sidewalk and curb or street. As required by Section 65.010, of this Code, it is the duty of each owner, lessee, or occupant to remove weeds between sidewalk or property line of his land and any street.

READ THREE TIMES AND PASSED THIS one DAY OF June, 1992, IN THE VILLAGE OF FREEBURG, MISSOURI.

Lloyd R. Tibbitt  
MAYOR

(SEAL)

Linda Streumpf  
CITY CLERK