

ORDINANCE BILL NO. 19 FOR 1953

ORDINANCE NO. 252

AN ORDINANCE DECLARING THE EXISTENCE OF CERTAIN WEEDS, GRASS AND BRUSH ON LAND IN THE CITY TO BE A NUISANCE, MAKING IT THE DUTY OF THE OWNERS AND OCCUPANTS OF LAND TO CUT AND REMOVE OR DESTROY THE SAME, PROVIDING A PENALTY, PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES BY THE CHIEF OF POLICE IN THE EVENT OF THE FAILURE OF THE OWNER OR OCCUPANT TO ABATE THE SAME AFTER NOTICE AS HEREIN PROVIDED, AND CHARGING THE EXPENSE OF SUCH ABATEMENT AS A LIEN UPON EACH SUCH LOT OR PARCEL OF LAND, PROVIDING FOR THE FORECLOSURE OF SUCH LIENS, AND DECLARING AN EMERGENCY.

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. The existence on any lot or parcel of land in the City of Sweet Home, of weeds, grass or brush, to a height of ten inches or more, which is not cut and removed or destroyed as herein required and provided constitutes a fire hazard and a source from which weeds, grass and brush are seeded on other property in the City, and otherwise endangers the health, welfare and safety of the citizens of the City of Sweet Home and is in fact and is hereby declared to be a nuisance.

Section 2. It shall be the duty of each owner and occupant of a lot or parcel of land in the City of Sweet Home to cut close to the ground and to remove or destroy all weeds, grass and brush, growing thereon to the height of ten inches or more, at least 2 times each year, once between May 1 and July 1 and once between August 1 and October 1.

Section 3. Any person, firm or corporation violating the provisions of this ordinance, shall upon conviction thereof, be punished by a fine of not more than \$10.00.

Section 4. If the owners and occupants of any lot or parcel of land within the City of Sweet Home shall fail or neglect to cut and remove or destroy such weeds, grass, and brush as herein required, then upon receiving a complaint that such nuisance exists, the Chief of Police shall cause to be served upon the owner or the occupant of such lot or parcel of land, a written notice, describing the land with reasonable certainty, that if such weeds, grass and brush are not cut and removed or destroyed within 5 days the City will cause the same to be done and will charge the costs thereof as a lien against the property.

Such notice shall be served upon such owner or occupant, if found within the City of Sweet Home, and in case none of the said persons shall be found within the City after reasonable diligence and inquiry, such notice shall be posted in one or more conspicuous places on the land and a copy thereof mailed to the owner or occupant, at his last known address.

Section 5. After the notice required by the last preceding section has been given, if such weeds, grass and brush have not been cut, removed and destroyed as hereby required, the Chief of Police shall advise the Council in writing of the existence of such nuisance and of the giving of such notice and the name and address, if known, of each of the owners and occupants, of each such parcel to whom such notice was given, and the City Council may thereafter in its discretion direct the Chief of Police to cause said weeds, grass, and brush to be cut and removed or destroyed on such lot or parcel of land.

Section 6. After having been so directed by the Council, the Chief of Police shall cause the weeds, grass and brush on such lot or parcel of land as is so directed by the Council to be cut and removed or destroyed, and shall promptly thereafter report to the City Manager the cost of such cutting and removal or destruction.

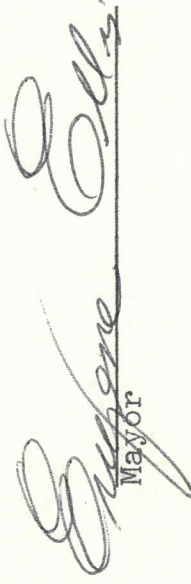
Section 7. Upon receipt of the report of the Chief of Police provided for in the last preceding section the City Manager shall cause a written notice to be given in the manner provided in Section 4 to the owner and occupants of each such lot or parcel of land, stating the amount of the cost of the cutting and removal or destruction of such weeds, grass and brush as reported by the Chief of Police, describing the land with reasonable certainty, giving notice that such amount will be considered by the Council at a meeting at the time and place specified in the notice as the amount to be assessed against said lot or parcel of land as a lien and that any person having an interest in the land may appear and be heard at said meeting with respect thereto.

Section 8. At the time and place specified in the notice mentioned in the last preceding section, the Council shall meet and shall consider any protests or objections to the levying of the cost herein referred to as a lien upon such parcels of land and after considering such protests and objections, if any, shall determine what amount shall be made a lien on such lot or parcel of land and shall direct the City Recorder to enter such charges in the City Lien Docket as a lien upon the lot or parcel of land so affected.


Section 9. Each such lien shall be a lien upon the lot or parcel of land against which it is charged in the City Lien Docket and shall be subject to collection and foreclosure in the same manner as is now or hereafter provided for the foreclosure of liens for special improvements to property within the city.

Section 10. The existence of the nuisance herein defined at the present season of the year constitutes an immediate fire hazard and danger to the health and safety of the citizens of the City of Sweet Home, and an emergency therefore exists, and the Council deems it expedient that this ordinance take effect immediately upon its being passed by the Council and approved by the Mayor, and this ordinance shall become effective immediately upon being passed by the Council and Approved by the Mayor,

Passed by the Council and approved by the Mayor this 25 day of August, 1953.


Mayor

ATTEST:


City Manager and ex officio
City Recorder

First reading August 11, 1953.

Second Reading August 18, 1953.