

## ARTICLE V.

### WEEDS

#### Sec. 14-90. Definition.

The term "weeds" as used in this article shall be construed to mean and include all noxious weeds as defined by the state statutes and all such useless and troublesome plants as are commonly known as weeds to the general public.

The term "natural area" means a natural area is an area in a natural state and can maintain itself in a stable condition without human intervention and contains trees, shrubs, and native plants, excluding weeds and turf grass areas that contain more than 50% turf grass.

The term "turf grass" means commercially available cultured turf grass varieties, including bluegrass, fescue and ryegrass blends, commonly used in regularly cut lawn areas.

(Ord. No. 5.02, § 1, 9-8-1980)

**State Law References:** Noxious weeds defined, Minn. Stats. § 18.77.

#### Sec. 14-91. Penalty.

Any person who shall fail to maintain or otherwise eradicate weeds or grass as directed in this article, or who shall fail, neglect or refuse to comply with the provisions of any notice provided herein or shall violate the provisions of this article or who shall resist or obstruct the weed inspector or his employees in the maintenance or eradication of weeds or grass shall be guilty of a misdemeanor.

(Ord. No. 5.02, § 5, 9-8-1980)

#### Sec. 14-92. Maintenance

1. All property within the City of Clearwater shall have turf grass maintained through regularly cutting to prevent grass vegetation from exceeding 12 inches.
2. Sec. 14-91 above shall not apply to the following:
  - a. State Highway ditches.
  - b. Tracts of land 3 acres or greater.
  - c. Residential subdivisions that are less than 50% developed except where lots abut developed and improved property.
  - d. Designated areas in City Parks.
  - e. Established buffers up to 50-feet surrounding retention ponds, streams, rivers and floodplain areas.
  - f. Natural Areas.
  - g. On slopes equal to or steeper than three feet horizontal to one foot vertical (3:1).

(Ord. No. 5.02, § 2, 9-8-1980)

**Sec. 14-93. Notice to remove.**

When the owner and/or occupant permit a nuisance to exist in violation of section 14-92, the weed inspector, or his assistants, shall serve a notice on the owner, occupant or agent of the owner of such lot or parcel of land ordering such person to have such weeds or grass cut and maintained or otherwise eradicated or removed within ten days after the service of such notice. Such notice shall also state that in event of noncompliance, removal will be done by the city at the owner's expense. When no owner, occupant or agent of the owner can be found, notice shall be sent by mail to the person who is listed on the records of the county auditor or county treasurer as the owner.

(Ord. No. 5.02, § 3, 9-8-1980)

**Sec. 14-94. Assessment.**

If such person fails to comply with the notice within ten days after service, or if no owner, occupant or agent can be found, the weed inspector, or his assistants, shall have such weeds cut and maintained or otherwise eradicated. A record showing the cost of such work attributable to each separate lot or parcel shall be delivered to the city clerk-treasurer. On or before November 1 of each year, the amount so charged against said lot or parcel of land, together with a description of the premises and the name of the supposed owner shall be certified to the county auditor and shall be collected in the same manner as taxes and/or special assessments against said premises. The charge shall be a perpetual lien on the premises until paid.

(Ord. No. 5.02, § 4, 9-8-1980)

**State Law References:** Collection of weed abatement expenses as special assessment, Minn. Stats. § 429.101.

**Secs. 14-95--14-116. Reserved.**