

CITY OF MELVINDALE

ORDINANCE NO. 755

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MELVINDALE BY THE REPEAL AND READOPTION OF SECTION 23-51 "NOXIOUS WEEDS; DEAD, DANGEROUS, OR DECAYED TREES" OF ARTICLE III, "NOXIOUS WEEDS", IN CHAPTER 23 "VEGETATION" TO REQUIRE CLEAN UP OF WEEDS AND GRASS CLIPPINGS FROM ADJOINING SIDEWALKS AND STREETS.

ARTICLE I. Adoption: That Section 23-51 of Article III entitled "Noxious Weeds" of Chapter 23 entitled "Vegetation" is hereby amended to hereafter read as follows:

Chapter 23 Vegetation
Article III Noxious Weeds

Sec. 23-51. Noxious weeds; dead, dangerous, or decayed trees.

- (a) The owner, occupant or agent of such owner or occupant of any land in the city shall cut down all weeds, rank vegetation and dead, dangerous, or decayed trees and remove such material, vegetation, or trees to prevent the proliferation of such noxious weeds by the maturing of such plants and to prevent the existence of dead, dangerous or decayed trees.
- (b) The Director of Public Works is authorized to notify the owner of any parcel of land or the agent of the owner to cut or destroy the weeds, material, vegetation or trees and keep it cut, destroyed or removed. Such notice shall be given by any method provided for herein as may be directed by the Director of Public Works.
- (c) If at any time during a period commencing ten days after the publication of such notice, the Director of Public Works shall find that any owner or owner's agent has failed to cut, destroy or remove the material, vegetation, or trees, he may cause such material, vegetation, or trees to be cut, destroyed or removed, and bill the owner at rates established by resolution by the city council.
- (d) Responsibility of landowner for adjacent property. The owner, occupant, or agent of the owner or occupant of any property located within the city shall be responsible for mowing, cutting, trimming, or removing grass, weeds, and other vegetation from the area between the sidewalk and the curb which adjoins the property and from any alley which adjoins the property that the person owns or occupies.
- (e) Vegetation on fences prohibited. No owner, occupant, or agent of an owner or occupant of property located within the city shall cause or allow noxious vines, plants, trees, weeds, or any other type of uncultivated vegetation to grow on, through, or above any fence, post, or any structure attached thereto which is located on the property that the person owns or occupies.
- (f) The owner, occupant or agent of such owner or occupant of any land in the city shall be responsible for the removal of all weeds and other vegetation from all sidewalk cracks and the

removal of any grass clippings from the sidewalks and streets which adjoin the property and from any alley which adjoins the property that the person owns or occupies. Enforcement shall be as otherwise provided for in this Article.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-13 of the Code of Ordinances of the City of Melvindale.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this ordinance be held in any manner invalid by any court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Melvindale inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This ordinance shall be given a first reading on March 2, 2011, a second reading on March 16, 2011, shall be adopted on March 16, 2011, shall be published and posted on or before _____, and shall be effective _____. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Melvindale this 16 day of March, 2011.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the Common Council of the City of Melvindale at a regular meeting held on _____

Norine Peebles, City Clerk

The undersigned hereby certifies that the foregoing ordinance was duly published by posting copies thereof in three (3), conspicuous places in the City of Melvindale on the 22, day of March, 2011 to wit:

City Hall, 3100 Oakwood Boulevard
Ice Arena, 4300 S. Dearborn Road
Library, 18650 Allen Road

and by publishing a summary of the foregoing ordinance in the News Herald Newspaper on the

_____ day of _____, 2011.

Norine Peeples, City Clerk