TOWN OF REDKEY
AMENDMENT TO 2009-6
ORDINANCE 2012-4

HEALTH AND SANITATION; WEED ORDINANCE

Section

GENERAL PROVISIONS

.01 Definition
.02 Responsibility of property owners; cleanliness of premises to be maintained
.03 Unlawful deposits
.04 Properties to be kept free of liter
.05 Dumping on vacant lots prohibited
.06 Enforcement

WEED CONTROL

.20 Unlawful growth
.21 Notice to remove
.22 Removal costs
.23 Enforcement

.99 Penalty

GENERAL PROVISIONS

.01 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

VACANT LOTS. Any land or acreage which is within 300 feet of any residence, public street or public building and upon which no permanent structures are erected.

.02 RESPONSIBILITY OF PROPERTY OWNERS; CLEANINESS OF PREMISES TO BE MAINTAINED.

(A) All persons owning or controlling property in the town shall maintain such property in such conditions as to contribute to, rather that detract from, the cleanliness and attractiveness of the district in which located, and in general to conform to the orderly premises in that vicinity.

(B) All persons owning or controlling houses or premises or vacant lots abutting any public way shall maintain such premises in a reasonable clean and orderly manner so as to conform generally to other premises in the vicinity. It shall be a violation of this abandon, neglect or disregard and such premises so as to permit the same to become unclean with and accumulation of litter or waste.

.03 UNLAWFUL DEPOSITS.

It shall be unlawful for any person to place, deposit, or permit to be deposited, in any unsanitary manner upon public or private property within the town or in any area under the jurisdiction of the town any human or animal excrement, garbage or other objectionable waste.

.04 PROPERTIES TO BE KEPT FREE OF LITTER.

All persons owning or controlling property within the town shall keep the same free at all times of trash, debris, garbage, refuse, offal or other extraneous materials, and it shall be the duty of such persons to make periodic collections and remove and such accumulations.

.05 DUMPING ON VACANT LOTS PROHIBITED.

No person shall dump or deposit trash, debris, garbage, refuse, offal or other extraneous materials on any vacant lot.

.06 ENFORCEMENT.

This chapter may be enforced by any member of the Police Department of the Health and Safety Officer.

WEED CONTROL

.20 UNLAWFUL GROWTH.

It shall be unlawful for any person to allow or permit and weeds, grasses or other noxious or rank vegetation to be remain upon any property owned, leased, occupied by or under the control of such persons after the receipt of the notice referred to below in .21. It shall be the duty of every owner of real estate within the corporate limits of the town to cut and remove all weeds, grasses, or other noxious or rank vegetation from the property at least four times each year to a height of four inches as follows:

(A) Once between May 1 and May 15, once again between June 1 and June 15, and once again between August 1 and August 15.

(B) Further, in addition to the four required mowing provided for herein, no property owner shall permit weeds and grasses to grow to a height exceeding eight inches in average height.

.21 NOTICE TO REMOVE.

No person shall fail, neglect or refuse to properly cut or remove such weeds or clean such premises so owned by him within five days after receiving notice in writing from a law enforcement or health and safety officer of the town that such premises are overgrown with weeds, grasses or other noxious or rank vegetation and that he or she is ordered to cut or remove such weeds, and grasses or other noxious or rank vegetation there from. Notice as herein provided for shall be served by a law enforcement or health and safety officer upon the landowner of the real estate if said person is a resident of the town or by regular mail addressed to his last know address, if said person is a non-resident of the town, a copy of said notice shall also be posted in a prominent place on the premises. In the event that the law enforcement or health and safety officer is unable to locate an owner who is known to be the resident, service shall be made by regular mail addresses to his last known address.

.22 REMOVAL COSTS.

If a landowner fails to remove the vegetation within the prescribed, the town may remove the vegetation by hiring independent labor or employing its own agents. The Clerk-Treasurer shall make a certified statement of the actual cost incurred by the town in the removal of said vegetation. The statement of costs shall be delivered be the town by regular mail to the owner of the property and the owner shall pay the amount to the Clerk-Treasurer within ten days after receiving said statement. In the event of the failure of a landowner to pay the amount within the prescribed time, a certified copy of the statement of costs containing all necessary information to identify the landowner and the location of the real estate shall be recorded in the office of the Recorder of Jay County. The cost to record and release the statement of costs shall be added thereto.

.23 ENFORCEMENT.

It shall be the duty of the Town Council to establish policies and regulation concerning the enforcement of this subchapter, including but not limited to the methods and rates of pay to be allowed to those individuals who perform services on behalf of the town under the terms of this subchapter.

.99 PENALTY

Anyone who upon receipt of the notice referred to in .22 fails, refuses or neglects to cut or remove the weeds, grasses or noxious growth from the premises under his control within five days from the receipt of said notice shall be subject to a fine. The penalty provided for by this section shall be in addition to any liability imposed under .22 and the prosecution of anyone under the terms of .20 trough .23 shall in no way affect the right of the town to remove weeds, grasses, and other noxious vegetation and make the cost of said removal a lien upon the real estate ad provided for by .22.

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST:

Clerk-Treasurer