

ORDINANCE NO. 308

ORDINANCE REGARDING GRASS, WEEDS AND GRASS CLIPPINGS

Be it ordained by the City Council of the City of Casselton, North Dakota that an ordinance establishing rules for removal of stagnant water, filling of excavations, removal of dirt piles, removal of noxious weeds, mowing of grass and blowing of grass clippings in right-of-way within the City of Casselton is hereby enacted to read as follows:

SECTION 1. It shall be the duty of all property owners, occupants, or persons having control over private property to remove or drain stagnant water, to fill excavations, to remove dirt piles, to remove noxious or other weeds, and to maintain the growth of grass on such property so that it does not exceed eight inches in length. These requirements apply to areas along and upon any street, highway, alley, public place or along or upon any vacant, occupied, or other lot or place within the city. Any failure to remove or drain stagnant water, to fill excavations, to remove dirt piles, to remove noxious or other weeds or to keep grass under eight inches in length shall be considered a violation of this ordinance. It shall also be prohibited and unlawful for any person to place or allow noxious weeds, rank vegetation and grass clippings to be deposited or blown onto any streets, roadways, avenues or highways within the City of Casselton. It shall be prohibited and unlawful for any person to cut their grass or lawn in such a manner as to allow noxious or other weeds, rank vegetation or grass clippings to be deposited on any streets, roadways, avenues, or highways within the City of Casselton. For purposes of this article “noxious weeds” shall mean any species of plant or vegetation recognized by the North Dakota State Weed Board as a noxious weed.

SECTION 2. Notice of a violation of Section 1 shall be mailed to the record property owner as shown in the property tax records maintained by the county, upon any agent of the property owner as known, and upon any occupant of the property when appropriate. The owner, agent, tenant or person in charge of the property shall take action to remove the stagnant water, fill excavations, remove dirt piles, fill holes, or depressions, cut and/or keep down the growth of any noxious or other weeds, maintain all grasses not to exceed eight inches in height, and properly dispose of grass clippings as directed by the City within the specified period of time. If the property owner, tenant, or agent fails to take such appropriate action within the time period as directed by the city, the city shall have authority to remove or drain off any stagnant water, fill all excavations, holes, or depressions, cut, spray or mow any noxious or other weeds and grasses, and properly dispose of grass clippings.

SECTION 3. Once a notice has been given as provided in Section 2, no further notice of violation shall be required to be given by the city for the following eight months in order for the city to abate, remediate or take further action related to the violation specified in the original notice. The original notice shall be considered a standing order for the city to remedy, abate or take further action within the scope of the notice for eight months following the notice.

SECTION 4. An amount to be determined by City Council shall be billed to the respective landowner for the abatement or remediation, and if not paid, shall be assessed against the property in question by approval of the city council of the City of Casselton.

SECTION 5. Any person who violates any provision of this ordinance is guilty of a non-criminal infraction and may be fined a maximum of \$500.00 as determined by the Municipal Judge. If the violator fails to pay the fine within 30 days of being found guilty, the City of Casselton may assess the fine against violator's taxes if he or she owns real estate within the City of Casselton.

SECTION 6. This Ordinance shall be effective upon publication.

APPROVED:

Lee Anderson, Mayor

Attest:

Sheila Klevgard, City Auditor

First Reading: January 7, 2019
Second Reading: February 4, 2019
Publication: February 13, 2019