

CHAPTER 52

WEEDS

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52.01 DEFINITIONS. For use in the chapter, the following terms are defined:

1. “Hazard” means any weeds, grasses, or other herbaceous vegetation which interferes with any sidewalk or the traveled portion of any roadway or alley or with visibility at any intersection, or traffic control light or sign or which constitutes a health, safety, or fire hazard or otherwise endangers life or property.
2. “Nuisance” means any weeds which, due to the manner of their growth and height, cause an annoyance to the general public, including noxious weeds as defined in the *Code of Iowa*.
3. “Weeds” includes all herbaceous vegetation that is not maintained and cared for under normal horticultural practices.

52.02 WEED HAZARD PROHIBITED. All weeds, vines, brush, grass, and noxious weeds as defined by the *Code of Iowa*, or other growths which exceed a height of 12 inches growing on lots and parcels of ground within the corporate City limits are declared to be a weed hazard and constitute a health, safety and fire hazard, and a public nuisance. It is unlawful for any owner of any property within the corporate City limits to maintain, cause, or permit weeds, grasses, or other herbaceous vegetation to grow under such circumstances that said vegetation is a nuisance and weed hazard as defined in this chapter. Such determination shall be made by the Street Superintendent. Such hazards and nuisances shall be abated by the property owner or person in possession of the property. Failure to abate shall constitute a municipal infraction and may be addressed under the terms of Chapter 4 of this Code of Ordinances.

52.03 STREET SUPERINTENDENT TO CUT. In the event of failure of the owner or occupant of a lot or parcel of ground to comply with Section 52.02, it is the duty of the Street Department Superintendent to cause the same to be done.

52.04 NOTICE TO PROPERTY OWNER. At least five (5) days before the Street Department Superintendent cuts or destroys any weeds, vines, or bushes, as provided in Section 52.02, notice shall be served on the property owner by ordinary mail notifying such property owner that unless such weeds, vines, or bushes are cut or destroyed before the date stated in the notice, the City will cut or destroy such weeds, vines, or bushes and assess the cost thereof to the owner of the lot or parcel of ground.

52.05 EXCEPTIONS. The following are exceptions to the provisions of this chapter:

1. Vegetable and/or flower gardens, purposefully planted, are permitted to exceed 12 inches in height if they are maintained free of weed hazard or nuisances.
2. Woody perennials, purposefully planted, are permitted to exceed 12 inches if they are planted and maintained in compliance with this chapter.
3. Weeds, vines, brush, and grass exceeding 12 inches in height are permitted on parcels upon which development has never occurred and which are not located within 300 feet of

developed areas so that such uncontrolled growth will constitute a weed hazard or nuisance to developed areas.

4. An owner of property may apply to the City to designate appropriate areas as a natural grass or prairie or woodland forb area. Such designation shall be determined by the Mayor, with such consultation as may be necessary to determine if the species mix and/or horticultural care methods for the area are appropriate for such designation. Growths in areas so designated are permitted to exceed 12 inches in height.