

CHAPTER 945
Weeds and Grass

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CROSS REFERENCES

Notice to cut noxious weeds - see Ohio R.C. 731.51 et seq.
Destruction of weeds - see Ohio R.C. 971.33 et seq.

945.01 DEFINITIONS.

GRASS. ANY OF A LARGE FAMILY (GRAMINEAE) OF MONOCOTYLEDONOUS, MOSTLY HERBACEOUS PLANTS WITH HOLLOW, JOINTED STEMS, SLENDER SHEATHING LEAVES, AND FLOWERS BORNE IN SPIKELETS OF BRACTS.

NOXIOUS. INJURIOUS TO PHYSICAL HEALTH.

NOXIOUS WEEDS. MEANS ANY TYPE OR SPECIES THAT HAVE BEEN INCLUDED ON THE OFFICIAL LIST OF NOXIOUS PLANTS FOR THE STATE.

WEED. A PLANT THAT IS CONSIDERED UNDESIRABLE, UNATTRACTIVE OR TROUBLESOME. A PLANT THAT IS NOT VALUED WHERE IT IS GROWING AND TENDS TO OVERGROW MORE DESIRABLE PLANTS.

~~945.01~~ 945.02 DETERMINATION OF NUISANCE; ABATEMENT.

When determined by the Director of Development **THROUGH THE ZONING ADMINISTRATOR** that weeds and other undesirable vegetation exceeding the height specified in Section 945.06 exist upon any lots and lands within the City, and constitute a nuisance or endanger the public health, it shall be the duty of the Director of Development **THROUGH THE ZONING ADMINISTRATOR** to see that such noxious weeds and grass are removed or such nuisance abated. **THE CITY OR ITS DESIGNEE SHALL HAVE THE RIGHT TO ENTER ANY PROPERTY IN ORDER TO CARRY OUT SUCH NUISANCE ABATEMENT.** (Ord. 217-96. Passed 11-19-96.)

~~945.02~~ 945.03 SERVICE OF NOTICE.

The Director of Development **THROUGH THE ZONING ADMINISTRATOR** shall cause written notice to be served upon the owners and lessees, agents or tenants having charge of such lots and lands referred to in Section ~~945.01~~ **945.02**, notifying them that noxious weeds or weeds and grass of rank ~~rank~~ **PROFUSE AND UNMANAGEABLE**

growth growing ~~ten~~ **EIGHT** inches or more tall are growing on such lots and lands, and that they must be cut or destroyed within ~~seven~~ **five** days after the service of such notice. **THE NOTICE SHALL BE EITHER HANDED TO THE OCCUPANT OR PLACED ON THE FRONT OF THE HOUSE IN CLEAR VIEW FROM THE STREET. THE PROPERTY SHALL BE RE-INSPECTED ON THE SIXTH DAY AFTER THE SERVICE OF SUCH NOTICE. IF THE VIOLATION STILL EXISTS, A CITATION SHALL BE ISSUED AND THE GRASS CUT BY THE CITY'S DESIGNEE.** ~~If such owner, or other person having charge of such lands, is a nonresident whose address is known, such notice shall be sent to his address by certified mail. If the address of such owner, whether a resident or a nonresident, is unknown, it shall be sufficient to publish such notice once in a local newspaper. After completion of notice, the Director of Development shall make due return thereon, setting forth the cost of service.~~ Ord. 217-96. Passed 11-19-96.)

945.03 945.04 FAILURE TO COMPLY; REMEDY.

Upon failure of any owner, lessee, agent or tenant having charge of the lots and lands under the provisions of Section ~~945.01~~ **945.02**, to comply with the notice within the period of time stipulated under the provisions of Section ~~945.02~~ **945.03**, the **ZONING ADMINISTRATOR SHALL** ~~Director of Public Service shall cause such weeds or grass to be cut or destroyed by City employees, the direct employment of labor, or authorize some person~~ **A LAWN MAINTENANCE CONTRACTOR** to cut the weeds or grass on behalf of the Municipality **CITY**. (Ord. 217-96. Passed 11-19-96.)

~~**945.04 REPORT OF COSTS TO COUNCIL.**~~

~~Upon the performance of the labor under the provisions of Section 945.03, the Director of Public Service shall report to Council the cost thereof with respect to each lot or parcel of land, including the cost of investigation, handling of weed or grass complaints, and costs of service and notification. (Ord. 217-96. Passed 11-19-96.)~~

945.05 RETURN TO COUNTY AUDITOR.

~~Upon receipt of the report under the provisions of Section 945.04, and approval thereof of Council,~~ **UPON THE PERFORMANCE OF THE LABOR UNDER THE PROVISIONS OF SECTION 945.04**, the Director of Finance shall make a return in writing to the Auditor of Franklin County of such charges, which shall be entered upon the tax duplicate of the County, all in accordance with Ohio R.C. 731.54. (Ord. 217-96. Passed 11-19-96.)

945.06 NOXIOUS WEEDS OR GRASS.

Every person owning, leasing, renting, having charge of, or being in possession of land within this City shall keep such property, and adjacent right of way between such property, and the curb, or edge of pavement where there is no curb, free and clear from all noxious weeds, such as thistle, burdock, jimson weed, ragweed, milkweed, mullein, poison ivy, poison oak and other vegetation of rank **PROFUSE AND UNMANAGEABLE GROWTH**. Noxious weeds and grass grown on such property and adjacent right of way shall be maintained in such a manner so as not to exceed ~~ten~~ **EIGHT** inches in height. (Ord. 217-96. Passed 11-19-96.)

945.07 MOWING FEES.

~~The fee charged for mowing by the Department of Public Service is hereby established at the rate of one hundred seventy five dollars (\$175.00) per hour, with a minimum charge of one hundred seventy five dollars (\$175.00), portal to portal, supported by work orders and daily time records.~~ **THE FEE CHARGED BY THE LAWN MAINTENANCE COMPANY, CONTRACTED BY THE CITY TO CUT THE GRASS, SHALL BE PRESENTED TO THE FRANKLIN COUNTY**

AUDITOR PER SECTION 945.05. IN ADDITION, A \$75.00 ADMINISTRATIVE PROCESSING FEE SHALL BE CHARGED BY THE CITY AND ADDED TO THE TAX DUPLICATE OF THE COUNTY. (Ord. 126-2001. Passed 7-2-01.)

945.08 EXEMPTIONS.

AREAS CULTIVATED SPECIFICALLY AS A WILDFLOWER AREA, VEGETABLE GARDEN, NATURAL AREA FOR BIRDS AND OTHER WILDLIFE, OR OTHER AREAS DETERMINED BY THE CITY'S DESIGNEE. ALSO EXEMPTED IS LAND CURRENTLY USED FOR AGRICULTURAL PURPOSES, EXISTING NATURALIZED AREAS ALONG DRAINAGE CHANNELS ON DESIGNATED SCENIC ROADS, AND AREAS POSTED BY THE CITY AS DO NOT MOW.

945.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor. (Ord. 217-96. Passed 11-19-96.)