

## ORDINANCE NO. 513

AN ORDINANCE AMENDING POLSON CITY CODE SECTION 7.06 "WEEDS".

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA, AS FOLLOWS:

Sections:

- 7.06.010 Nuisance weeds definition
- 7.06.020 Weed removal--Property owner duty--By city.
- 7.06.030 Weed removal--Collection of charges.
- 7.06.040 Weed removal--Fee for removal by city.
- 7.06.050 Violation--Penalty

7.06.010 Nuisance weeds defined. The following shall be considered nuisance weeds: Spotted knapweed, leafy spurge, toad flax, white top, all thistles, field bind weed (wild morning glory) and any grasses in excess of eight inches in height.

7.06.020 Weed removal--Property owner duty--By city.

A. The owner, his representative, contract purchaser or any occupant of real property within the city shall exterminate Nuisance weeds growing thereon and the one-half of any street, road or alley lying next to the land or boulevard abutting thereon, by cutting and removing such nuisance weeds.

B. In case of their failure to do so, they shall be subject to the punishment provided in Section 7.06.050, and the city may cause the vegetation to be cut and removed, and the expense incurred shall be charged against the property. It shall be the duty of such persons to maintain their property so that it shall not be considered a fire hazard, a public or a private nuisance.

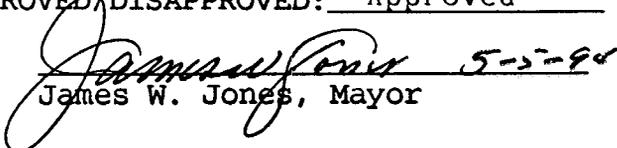
7.06.030 Weed removal--Collection of charges. In the event the owner, representative of the owner, contract purchaser or occupant of any property required by Section 7.06.020 to cut and remove nuisance weeds fails to do so, the city may at any time cause such vegetation to be removed. The cost of such removal shall be based upon charges as set forth in Section 7.06.040 and collected as a special tax against the property, in accordance with the provisions of MCA Section 7-22-4101.

7.06.040 Weed removal--Fee for removal by city. A minimum fee of fifty dollars per hour or seventy five dollars per lot shall be charged for nuisance weed extermination work performed by the city or by a contractor at the direction of the city. Fees are intended to pay for labor, fuel, equipment and administrative costs and may exceed the minimum fee in instances where actual costs exceed the minimum fees.

7.06.050 Violation--Penalty. Any owner, representative, contract purchaser or occupant of the property violating the provisions of Sections 7.06.020 shall be fined not less than ten dollars nor more than one hundred dollars or by imprisonment for not less than ten days nor more than thirty days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation within fifteen days of receipt of notice; to be served either personally or by certified mail, return receipt requested. Each ten days that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

FIRST READING: April 6, 1992 APPROVED/DISAPPROVED: Approved

SECOND READING: May 4, 1992 APPROVED/DISAPPROVED: Approved

  
James W. Jones, Mayor

ATTEST:

  
Jayne Devlin, City Clerk