



# Community Development Department

## Policies & Procedures

**Division:** Code Enforcement  
**Policy:** Weed Abatement Process  
**Effective Date:** Draft 01/06/11

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The Town of Prescott Valley Code Enforcement staff receives a large number of complaints for weed, open storage and other violations of Town Code every year; however, the most prevalent of these complaints are for weeds.

It is our intention to aggressively address the weed issue that plagues our community every year by introducing a weed abatement policy that outlines a specific timeframe in which weeds must be abated. This proposed policy is not intended to replace the existing code enforcement process currently in place; rather, it is our intent to utilize the updated process when standard code compliance efforts have failed and subject to the following guidelines:

- No response has been received to the Town's first notice of violation within ten (10) days from mailing;
- Weeds constitute a fire, life, safety and/or health issue based on fire load guidelines as outlined by the Central Yavapai Fire District's Fire Marshal;
- The property has been abandoned, is in foreclosure and/or property owner is deceased and no beneficiary/trustee can be identified; and/or
- The property owner is a repeat violator and/or has been in violation for same violation within the last twelve (12) months.

Article "9-04-040" of Town Code, states that if an owner, lessee or occupant of any property fails, neglects or refuses to remove or properly dispose of litter, weeds, yard waste or any other nuisance defined herein, which is located on the property, owned or controlled by such person, the Community Development Director, or his designee, shall give written notice to the owner and to the lessee or occupant, if any, to remove all litter, weeds, yard waste or other nuisance from such property prior to the date of compliance on said notice. Such notice shall be given not less than thirty (30) days before the date set for compliance and shall include the legal description of the property, an estimate of the cost of removal by the Town, a statement that unless the owner, lessee or occupant of such property complies by the date shown in the notice, the Town will, at the expense of such person(s), remove said litter, weeds, yard waster of other nuisance, and an explanation of the right to appeal said determination to the Town Council in accordance with Section 9-04-060.

Research has found that Town Code mirrors those of state and other local jurisdiction regarding a thirty (30) calendar day time frame for compliance for weed abatement.

Having said this, Staff is proposing this policy to give those persons that have failed or neglected to comply with Town Code, thereby causing their property to become a nuisance and potential hazard due to the height of the weeds, to our community. It is proposed that the final notification to the property owner, outline a thirty (30) calendar day notice to remove any and all weeds that are in violation of Town Code, as described in said notice.

Upon re-inspection of the property, after ten (10) days from the initial notice, if no contact has been received from property owner, and if property is found to still be in violation, a final notice of violation will be sent re-noticing the property owner of the violation and outlining a date, thirty (30) calendar days from the date of reinspection, by which the property must be brought into compliance. The final notice of violation will also include the estimate of the cost of abatement and the ability by which the property owner may appeal the notice of violation.

Upon re-inspection following the thirty (30) calendar day period, if the property is not in compliance, should it be determined by inspection and/or property research that the weeds constitute a fire, life, safety and/or health issue based on fire load guidelines, as outlined by the Central Yavapai Fire District's Fire Marshal, or if the property has been abandoned, is in foreclosure and/or property owner is deceased and no beneficiary/trustee can be identified, Staff may move forward with abatement of the property.

**Weed Abatement Process:**

