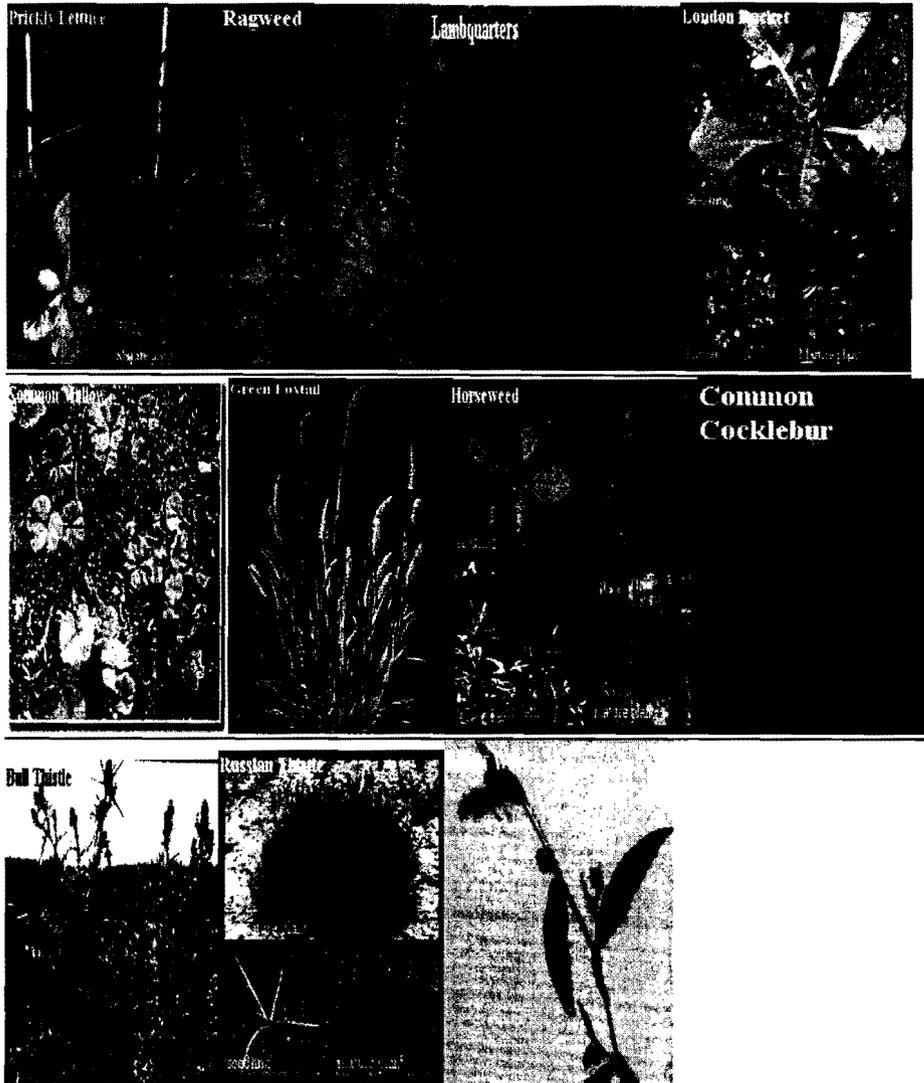


Town of Prescott Valley



- K. "Yard Waste" means brush, grass and vegetation clippings, weeds, twigs, leaves, limbs, branches and trunks from trees, and general yard, garden and tree rubbish and waste materials.

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 158, Enacted, 08/27/87; Ord. No. 178, Ren&Amd, 05/26/88, 5-04-010, 9-09-030; Ord. No. 396, Amended, 08/08/96; Ord. No. 559, Amended, 07/10/03)

9-04-020 Litter, Weeds and Maintenance of Private Property.

- A. Litter: Any person placing litter as defined herein upon any private or public property, whether or not owned or under the control of that person, is guilty of a class 1 misdemeanor and a civil violation. In addition to any fine or penalty which may be imposed for violation of any provision of this Section, such person shall be liable for all costs which may be assessed pursuant to this Article for removing, abating, or enjoining said litter. The owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be

PRESCOTT VALLEY

prevented from being carried or deposited by the elements upon any public place.

- B. Weeds: Any person owning, leasing, occupying or having charge of any public or private premises or property that fails to control weeds and yard waste, as defined herein, upon such property is guilty of a class 1 misdemeanor and a civil violation. In addition to any fine or penalty which may be imposed for violation of any provision of this section, such person shall be liable for all costs which may be assessed pursuant to this Article for removing, abating, or enjoining said litter. The owner or person in control of private property shall maintain said premises in such a manner that will prevent weeds or yard waste from being carried or deposited by the elements upon any public place.

All premises shall be kept free from dry bushes, trees, tumbleweeds, weeds or other dry vegetation which create a visual blight upon the area, which may harbor insect or rodent infestations, or which may likely become a fire hazard or otherwise threaten the health and safety or the economic welfare of adjacent property owners or occupants. It is the responsibility of the owner or occupant to cut or remove weeds or yard waste as described herein that are in excess of twelve (12) inches high.

- C. Maintenance of Private Property: Any person owning, leasing, occupying or having charge of any premises or property that maintains or keeps any nuisance thereon, or that keeps or maintains such premises or property in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises or property are located is guilty of a class 1 misdemeanor and a civil violation. However, accumulations of personal property on any particular premises as part of a yard sale are not a nuisance as defined herein if, and only if:

1. The personal property consists of surplus household property, regardless of ownership.
2. The personal property is publicly offered for sale.
3. The personal property is neatly displayed for sale, either within or without an enclosure.
4. The personal property is neatly secured within an enclosure during those periods when it is not offered for sale.
5. The personal property is offered for sale over a period not longer than three (3) consecutive calendar days.

For the purposes of this yard sale exception, personal property is offered for sale through any method of informing or soliciting buyers of goods: including, but not limited to, use of signs, handbills, newspaper advertisements, and direct personal contacts. However, nothing in this Section shall permit the littering of streets and alleys, or the posting of signs on public property or utility poles, or the improper disposal of hazardous materials otherwise prohibited in Sections 9-04-020(A), 9-06-030, and 10-01-130 of this Code.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 117, Enacted, 09/05/85; Ord. No. 158, Enacted, 08/27/87; Ord. No. 178, Ren&Amd, 05/26/88, 11-01-090; 5-04-020&090; Ord. No. 9-09-040,100,110&130; Ord. No. 396, Amended,

HEALTH AND SANITATION

08/08/96; Ord. No. 559, Amended, 07/10/03)

9-04-030 Owner, Lessee or Occupant to Maintain Property.

The owner, lessee or occupant of any private property shall at all times maintain said property, including abutting public right-of-way up to the edge of pavement and all easement areas, free of debris, litter, trash, weeds and yard waste to prevent it from becoming unsightly or detracting from the appearance of the immediate neighborhood or from becoming a threat to the safety and welfare of the citizens. Said persons will also be responsible to maintain all installed landscaping and irrigation systems in accordance with Site Development Standards set forth in Article 13-26 of this Code.

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 158, Enacted, 08/27/87; Ord. No. 178, Ren&Amd, 05/26/88, 5-04-030,9-09-120; Ord. No. 559, Amended, 07/10/03)

9-04-040 Notice to Remove.

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 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 the notice. Such notice shall be given not less than thirty (30) days before the date set thereon 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 therewith by the date shown in the notice, the Town will, at the expense of such person, remove said litter, weeds, yard waster or other nuisance, and an explanation of the right to appeal said determination to the Town Council in accordance with Section 9-04-060 hereinafter.

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 178, Ren&Amd, 05/26/88, 5-04-040; Ord. No. 283, Amended, 09/24/92; Ord. No. 396, Amended, 08/08/96; Ord. No. 559, Amended, 07/10/03)

9-04-050 Service of Notice.

- A. The Community Development Director, or his designee, shall serve the notice to remove to the owner, the owner's authorized agent or the owner's statutory agent and to the occupant or lessee. The notice shall be served either by personal service or by certified mail. If notice is served by certified mail, it shall be mailed to the last known address of the owner, the owner's authorized agent or the owner's statutory agent and to the address to which the tax bill for the property was last mailed. For purposes of this Article, the notice shall be considered given either upon delivery of the notice by personal service, or upon mailing.
- B. Town staff may cause said notice to be recorded in the County Recorder's Office. If the notice has been recorded and there is subsequent compliance, Town staff shall record a release of the notice in the same Office.

PRESCOTT VALLEY

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 178, Ren&Amd, 05/26/88, 5-04-050; Ord. No. 283, Amended, 09/24/92; Ord. No. 396, Amended, 08/08/96; Ord. No. 559, Amended, 07/10/03)

9-04-060 Appeal to Council.

- A. Prior to the date set for compliance on the notice, the owner, occupant or lessee may appeal to the Council from the demand of the Community Development Director, or his designee. Any such appeal must be heard during a regular meeting of the Council prior to the compliance date, and a written request to be placed on the regular agenda for that purpose must be received by the Town Manager no later than 5:00 p.m. on the Tuesday prior to the meeting. Upon receiving such a request, the Council shall hear and determine the appeal at the next meeting. The decision of the Council shall be final and may affirm, reverse or modify the requirements of the notice.
- B. The Council may, at its option, appoint a Board of Citizens to hear such appeals. Said Board shall establish its procedures for hearing such appeals, subject to Council approval.
- C. Notwithstanding Town Code Subsections 9-04-060(A) and 9-04-060(B), appeal to the Town Council (or to a Board of Citizens appointed for the purpose of hearing such appeals) is not available where the challenged removal or abatement is ordered by a court of competent jurisdiction.

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 178, Renumbered, 05/26/88, 5-04-060; Ord. No. 283, Amended, 09/24/92; Ord. No. 396, Amended, 08/08/96)

9-04-070 Removal by Town.

If any person having an interest in private property, including an owner, lienholder, lessee or occupant, after notice as required by Section 9-04-050 of this Article, does not remove such litter, weeds, yard waste or other nuisance as defined herein and otherwise abate such condition which constitutes a hazard to public health and safety, the Town may remove, abate, or enjoin such litter, weeds, yard waste or other nuisance or cause the removal thereof.

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 158, Enacted, 08/27/87; Ord. No. 178, Ren&Amd, 05/26/88, 5-04-070, 9-09-140; Ord. No. 396, Amended, 08/08/96; Ord. No. 559, Amended, 07/10/03)

9-04-080 Assessment for Removal.

- A. Upon completion of the work, the Town Manager shall prepare a verified statement of account of the actual cost of the removal, abatement, or injunction (including the legal costs associated therewith and the actual cost of additional inspections and incidental connected costs), the name and address of the Town as the party imposing the assessment, the date the work was completed, and the street address and the legal description of the property on which said work was done, and shall serve a

HEALTH AND SANITATION

duplicate copy of such verified statement upon the owner and upon the lessee or occupant in the manner prescribed in Section 9-04-050.

- B. The owner and the lessee or occupant shall have thirty (30) days from the date the verified statement is served or mailed to pay the assessment or to appeal in writing to the Town Council about the amount of the assessment. If an appeal is not filed with the Town Council within such thirty (30) day period, then the amount of the assessment as determined by the Manager shall become final. If an appeal is taken, the Town Council shall, at its next regular meeting, hear and determine the appeal and may affirm the amount of the assessment, modify the amount thereof or determine that no assessment at all shall be made. Upon affirmation or modification of the amount by the Council, the owner and the lessee or occupant shall have five (5) days to pay the assessment to the Town.
- C. If no appeal is taken from the amount of the assessment or if an appeal is taken and the Council has affirmed or modified the amount of the assessment, and the assessment is not paid within the time specified, the original assessment or the assessment as so modified shall be recorded in the office of the County Recorder. Any assessment recorded after July 15, 1996, is prior and superior to all other liens, obligations, mortgages, or other encumbrances, except liens for general taxes.
- D. A sale of the property to satisfy an assessment obtained under the provisions of this Section shall be made upon judgment of foreclosure or order of sale. The Town shall have the right to bring an action to enforce the assessment in the Superior Court at any time after the recording of the assessment, but failure to enforce the assessment by such action shall not affect its validity. The recorded assessment shall be prima facie evidence of the truth of all matters recited therein and of the regularity of all proceedings prior to the recording thereof.
- E. Assessments that are imposed under this Section 9-04-080 run against the property until paid and are due and payable in equal annual installments as follows:
 - 1. Assessments of less than five hundred dollars (\$500.00) shall be paid within one (1) year after the assessment is recorded.
 - 2. Assessments of five hundred dollars (\$500.00) or more but less than one thousand dollars (\$1,000.00) shall be paid within two (2) years after the assessment is recorded.
 - 3. Assessments of one thousand dollars (\$1,000.00) or more but less than five thousand dollars (\$5,000.00) shall be paid within three (3) years after the assessment is recorded.
 - 4. Assessments of five thousand dollars (\$5,000.00) or more but less than ten thousand dollars (\$10,000.00) shall be paid within six (6) years after the assessment is recorded.
 - 5. Assessments of ten thousand dollars (\$10,000.00) or more shall be paid within ten (10) years after the assessment is recorded.

PRESCOTT VALLEY

- F. An assessment that is past due accrues interest at the rate prescribed by ARS §44-1201.
- G. A prior assessment for the purposes provided in this Section shall not be a bar to subsequent assessment or assessments for these purposes, and any number of assessments on the same tract of land may be enforced in the same action.

(Ord. No. 117, Enacted, 09/05/85; Ord. No. 178, Ren&Amd, 05/26/88, 5-04-080; Ord. No. 283, Amended, 09/24/92; Ord. No. 396, Amended, 08/08/96)

1. Places, permits or provides for rubbish, trash, weeds, filth, debris or dilapidated buildings to remain upon property located in the County of which they are owner, lessee or occupant.

2. Places, permits or provides for rubbish, trash, weeds, filth, debris, or dilapidated buildings to remain upon contiguous sidewalks, streets and alleys in the County which are dedicated and open to the public.

3. Places, permits or provides for rubbish, trash, weeds filth, debris or building materials to remain upon any other private or public property in the County not owned or under the control of the person, firm or corporation.

B. Duty to Remove. A person, firm or corporation shall remove or otherwise abate a public nuisance as defined herein within 30 calendar days after mailing or personal service of a Notice to Abate as provided herein.

C. Notice to Abate. Upon reasonable belief that a violation of this ordinance has occurred, the Hazard Abatement Officer shall issue a notice in writing which shall be served in person or by certified mail upon the owner, occupant or lessee at their last known address or at the address on file in the County Treasurer's Office to which the most recent tax bill was mailed. If the owner does not reside on the property, a copy of the notice shall be served upon the owner in person or by certified mail to the owner's last known address. Failure by any party to receive the notice shall not be a bar to abatement, assessment of costs or lien of assessment pursuant to this Ordinance.

D. Notice and Order. The Notice to Abate shall contain the following:

1. The street address and a legal description sufficient for identification of the premises on which the alleged violation occurred.

2. A statement that the Hazard Abatement Officer has determined that there is a reasonable belief that a violation of this ordinance has occurred on the premises identified in the notice.

3. An order that the owner, occupant or lessee shall have thirty (30) days from the date of mailing or personal service of the order to remove any rubbish, trash, weeds, filth, debris or dilapidated buildings upon the property or upon contiguous sidewalks, streets or alleys.

4. A statement that a rubbish, trash, weeds, filth, debris or building materials must be disposed of at an approved waste collection facility or

by other legal means and that a tipping fee receipt or other evidence of legal disposal is to be submitted to the Hazard Abatement Officer prior to a determination of compliance with the Notice to Abate.

5. A statement that the County may cause the violation to be abated if the owner, occupant or lessee fails to comply with the order within the specified compliance period.

6. An estimate of the cost of removal or abatement by the County, including incidental costs, to be based on an estimate provided by a qualified contractor or by the Hazard Abatement Officer.

7. A statement that the owner, occupant or lessee shall have 15 days from mailing or personal service of the notice to abate to appeal the issuance of the notice to the Board of Supervisors and that failure to appeal will constitute waiver of all right to an administrative hearing and determination of the matter.

8. A statement that a party who places any rubbish, trash, filth or debris upon any private or public property located in the unincorporated area of the county that is not owned or controlled by that party is guilty of a Class 1 misdemeanor and may be subject to criminal penalties in addition to the costs of abatement.

E. Appeal of Notice to Abate. Any person receiving a Notice and Order to Abate may appeal to the Board of Supervisors as follows:

1. **Notice of Appeal.** A written Notice of Appeal shall be filed with the Clerk of the Board within 15 days after the Notice to Abate was mailed or personally served. The date of receipt by the Board shall be the date of filing.

2. **Contents of Notice of Appeal.** The Notice of Appeal shall state in reasonable detail why the appellants should not be required to comply with the Notice and Order to Abate.

3. **Hearing on Appeal.** Upon receipt of the Notice of Appeal, the Board shall place the matter on the agenda for its next regular meeting or, the Board has appointed a hearing officer pursuant to Paragraph II(P), refer the appeal to the hearing officer. The Hazard Abatement Officer shall appear and present evidence of the existence of the Public Nuisance. The appellant may present evidence controverting the existence of the Public Nuisance. The hearing shall be informal and without regard to the rules of procedure or evidence governing court proceedings. The Board shall decide the appeal, and its decision shall be final.

4. **Extension of Time for Compliance.** If the Board's decision is adverse to the appellant, the date for compliance set forth in the Notice to Abate shall be extended by the number of days elapsing between the filing of the Notice of Appeal and the rendering of the Board's decision.
- F. **Removal by Board.** If the Owner, Lessee, or Occupant fails to remove or otherwise abate the Public Nuisance within 30 calendar days of mailing or personal service of the Notice to Abate (or such extension thereof as may be granted in writing by the Board), the Board may, at the expense of the owner, lessee, or occupant, remove or abate the Public Nuisance or cause it to be removed or abated; provided, however, that if such removal or abatement is not undertaken within 180 days after the right to do so first accrues, a new Notice to Abate shall be served as provided in Paragraph II (C).
1. **Cost of Removal.** The costs assessed for removal or abatement shall not exceed the actual costs and incidental expenses thereof. Before undertaking the actual removal or abatement, the Hazard Abatement Officer shall attempt to obtain at least three written estimates from qualified contractors (if available locally) and shall accept the lowest such estimate that is otherwise satisfactory to the County. In the alternative, the removal or abatement may be performed by Yavapai County personnel, and the cost shall be deemed to be the same at the lowest estimate obtained from a qualified contractor as determined herein.
 2. **Historical Review .** Before the removal of a dilapidated building, the Board shall consult with the state historic preservation officer to determine if the building may be of historical value.
 3. **Removal From Tax Rolls.** Upon the removal of a dilapidated building, the County Assessor shall adjust the valuation of the Real Property on the property assessment tax roll from the date of removal.
- G. **Assessment.** Upon the removal or abatement of Public Nuisance as provided in Paragraph II (E) (1), the actual cost of removal or abatement, together with the actual costs of any additional inspections and other incidental costs, shall be an Assessment against the Real Property on which the Public Nuisance was located.
- H. **Notice of Assessment.** A written Notice of Assessment shall be served in the same manner as the Notice to Abate.

City of Prescott

- (B) An inspector may expand the scope of any inspection beyond the original complaint to include other violations, noted during inspection of the subject property. (Ord. 4076, 1-23-2001)
- (C) Unscreened exterior areas may be inspected at any time with or without the involvement of the owner, occupant, or designated agent in accordance with legal requirements.
- (D) Screened exterior areas shall be inspected only during the normal business hours of the city unless otherwise arranged, upon invitation or with the concurrence of the owner, occupant, or designated agent, or when ordered by a court when probable cause exists to believe that conditions may be detrimental to health and safety. (Ord. 2199, 7-24-1990, eff. 10-22-1990)

7-5-7: EXCEPTIONS:

- (A) Exempt from the provisions of subsection 7-5-4(H) of this chapter is any person or entity who is duly licensed to store dismantled, partially dismantled or inoperable motor vehicles or parts where such activity is permitted or allowed under the applicable Prescott land development code for that particular property. (Ord. 4449, 1-11-2005)
- (B) Exempt from the provisions of subsection 7-5-4(C) of this chapter is any person or entity who owns or has possession of large, remote acreage greater than two (2) acres, not accessible by a public street, unimproved road, private street or driveway, and in a natural state evidenced by native vegetation and undisturbed soils; or acreage impossible to service with large machinery due to its terrain. This exemption is not operable when actual and probable danger exists. (Ord. 4076, 1-23-2001)

7-5-8: NOTICE OF VIOLATION:

Except in cases of alleged imminent hazards, the community development director or his designee shall attempt to provide written notice to the responsible person or persons in an attempt to obtain voluntary compliance with the provisions of this chapter prior to any formal legal action being taken. Said notice shall be served upon the owner, the owner's authorized agent or the owner's statutory agent and to the occupant or lessee. Said notice shall be served either by personal service or by certified mail. If served by certified mail, the notice shall be mailed to the last known address of the owner, the owner's authorized agent or the owner's statutory agent, and to the address to which the tax bill for the property was last mailed. Said notice shall be given not less than thirty (30) days before the day set for compliance, and shall include the legal description of the property and the cost of such removal to the city if the owner, occupant or lessee does not comply. The owner shall be given not less than thirty (30) days to

comply. The city may record the notice in the Yavapai County recorder's office. If the notice is recorded and compliance with the notice is subsequently satisfied, the city shall record a release of the notice. (Ord. 4076, 1-23-2001)

7-5-9: PLACING RUBBISH, TRASH, FILTH OR DEBRIS UPON THE PROPERTY OF ANOTHER:

Any person, firm or corporation that places any rubbish, trash, filth or debris upon any private or public property not owned or under the control of that person, firm or corporation is guilty of a civil violation and, in addition to any sanction or penalty which may be imposed, is also liable for all costs which may be assessed pursuant to section 7-5-14 of this chapter for removing, abating or enjoining the rubbish, trash, filth or debris. (Ord. 4076, 1-23-2001)

7-5-10: RESERVED:

(Ord. 3315, eff. 3-16-1995)

7-5-11: APPEAL:

Unless the abatement is ordered by a court, an aggrieved party may appeal the notice provided for in this chapter and any assessments levied against the property pursuant to this chapter in the following manner:

- (A) An appeal must be in writing to the community development director no later than ten (10) days from date of notice of violation or the date of levying of an assessment, setting forth with particularity the bases of that appeal. The appeal shall be heard by the board of adjustment.
- (B) The board of adjustment shall schedule a hearing on the appeal within thirty (30) days of its receipt of the appeal, and advise all parties in writing of the date, time and place of the hearing.
- (C) The hearing on the appeal is an informal procedure. If the person pursuing an appeal elects to be represented by an attorney, that person shall so notify the Prescott city attorney no later than ten (10) days prior to the date set for the hearing.
- (D) The decision on appeal shall be rendered in writing, and mailed to all affected parties. (Ord. 4076, 1-23-2001)

7-5-12: MINOR VARIANCES:

The community development director or his designee may grant a minor variance to this chapter when there exists an unusual or unreasonable hardship resulting from a literal interpretation of this chapter, provided that the method of work or repair offered conforms to the intent of this chapter. (Ord. 3703, eff. 1-15-1998)

7-5-13: EMERGENCY ABATEMENT:

If a situation presents an imminent hazard to life or public safety, the city may issue an order directing the owner, occupant and/or designated agent to take such action as is appropriate to correct or abate the emergency. In addition, the city may act to correct or abate the emergency. The owner, occupant and/or designated agent shall be entitled to an appeal pursuant to section 7-5-11 of this chapter as soon as practicable, but such appeal shall not stay the abatement or correction of such emergency. (Ord. 3653, eff. 8-21-1997; amd. Ord. 3703, eff. 1-15-1998)

7-5-14: ABATEMENT AND ASSESSMENT FOR COST OF REMOVAL:

- (A) In the event that the owner, lienholder, lessee, occupant or any other person with an interest in the property, after notice as required by section 7-5-8 of this chapter, does not remove such rubbish, trash, weeds, filth, debris or dilapidated structures and abate the condition which constitutes a violation of this chapter, the city may remove, abate, enjoin or cause their removal.
- (B) The actual cost of removal, abatement or injunction of any rubbish, trash, weeds, filth, debris or dilapidated structures from any lot or tract of land, the actual costs of any additional inspections and other incidental connected costs, and associated legal costs for abatement or injunctions, shall be assessed on the property from which the rubbish, trash, weeds, accumulations or dilapidated structures are removed, abated or enjoined. The city may record the assessment in the Yavapai County recorder's office, including the date and amount of the assessment and the legal description of the property. Any such assessment shall be prior and superior to all other liens, obligations, mortgages or other encumbrances (except liens for general taxes). If the city so elects, sale of the property to satisfy an assessment obtained pursuant to this section shall be made upon judgment of foreclosure and order of sale. All assessments shall run with the land, and shall be due and payable in accordance with Arizona Revised Statutes section 9-499(E). (Ord. 4076, 1-23-2001)

7-5-15: RECORDING AN ABATEMENT ORDER, STATEMENT OF COSTS, AND SATISFACTION OF ABATEMENT ORDER:

(Rep. by Ord. 4076, 1-23-2001)

7-5-16: JURISDICTION OF CITY COURT:

- (A) Jurisdiction of all proceedings to enforce the provisions of this chapter shall be in city court, except as otherwise provided in this chapter.

City of Prescott

CHAPTER 8-3: WEEDS; RUBBISH

SECTIONS:

- 8-3-1: REMOVAL FROM BUILDING, GROUNDS OR PREMISES, SIDEWALKS AND STREET PARKWAYS:**
- 8-3-2: FAILURE OF OWNER TO COMPLY:**
- 8-3-3: CITY MAY REMOVE:**
- 8-3-4: SEVERABILITY:**
- 8-3-5: CIVIL VIOLATION:**

8-3-1: REMOVAL FROM BUILDING, GROUNDS OR PREMISES, SIDEWALKS AND STREET PARKWAYS:

- (A) All persons owning or occupying any building, grounds or premises within the City are hereby required to remove therefrom all dirt, debris, rubbish, garbage, weeds and brush and said persons are also required to remove therefrom all dirt, debris, rubbish, garbage, weeds and brush and maintain all sidewalks, driveway culverts and street parkways adjacent to said building, grounds or premises.
- (B) It shall not be the responsibility of said person or occupant to maintain the drainage catch basins, culverts or channels within the limits of a City street right-of-way other than a drainage pipe culvert or bridge-type structure crossing a paved or unpaved driveway or accessway to that person's or occupant's property.
- (C) For purposes of this Chapter, a street parkway is defined as follows:
 1. Improved Streets With Curbs and Pavement. That area of City street right-of-way lying between a curb and the adjacent street right-of-way line.
 2. Paved Traveled Roadway (No Curbs). That area of City street right-of-way lying on either side of the pavement between the edges of the pavement and the adjacent street right-of-way lines.
 3. Unpaved Traveled Roadways: That area of City street right-of-way lying on either side of a traveled roadway between the edges of the traveled roadway and the adjacent street right-of-way lines.

8-3-2: FAILURE OF OWNER TO COMPLY:

Upon failure of the persons owning or occupying any buildings, grounds or premises within the City to remove therefrom all dirt, debris, rubbish, garbage, weeds and brush, and maintain all sidewalks, driveways, culverts and street parkways adjacent to said building, grounds or premises, notice shall be given or served upon said persons herein referred responsible for the condition of violation of this Code, either by verbal notification, personal service, or by delivering the same to and leaving it with some person of suitable age and discretion upon the premises; or, if no such person is found on the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises, and by mailing a copy thereof to such person by registered mail to his last known address. Orders or notices which are given verbally shall be confirmed by service in writing as herein provided.

8-3-3: CITY MAY REMOVE:

- (A) Should any such owner or occupant of any building, grounds or premises within the City fail, neglect or refuse to forthwith remove from said building, grounds or premises, or from the sidewalk, driveway culverts or street parkway adjacent thereto, any dirt, debris, garbage, rubbish, weeds or brush; or should any such owner or occupant fail to keep and maintain any such building, grounds or premises or any sidewalk, driveway culverts or street parkway adjacent thereto, free and clear of any dirt, debris, rubbish, garbage, weeds or brush, then the City Manager is hereby authorized and directed to remove or destroy, or cause to be removed or destroyed, any and all such dirt, debris, rubbish, garbage, weeds or brush, at the expense of such owner or occupant; and the City Clerk is hereby directed to forthwith prepare a verified statement and account of all expense incurred in or occasioned by or incident to such removal or destruction, or either of them, and to file such verified statement and account with the Yavapai County Assessor and Tax Collector.

All such expenses incurred in connection with, or incident to, such removal and destruction or either of them, and as fixed with the Yavapai County Assessor and Tax Collector, is hereby declared as a tax lien upon such building, grounds and premises; and shall be charged and assessed upon and against such building, grounds and premises, and shall be collected at the same time and in the same manner as other City taxes are collected. (Ord. 1686, 5-14-84)

- (B) Notwithstanding other provisions to the contrary, the City Manager may, but shall not be required to, landscape and maintain the sidewalks, culverts, and street parkways adjacent to certain main arterial entrances to the City, including but not limited to:

1. East Gurley Street from City limits to Courthouse Plaza;
2. White Spar Road from City limits to Montezuma Street to Courthouse Plaza;
3. Iron Springs Road from City limits to Five Points Intersection;
4. Willow Creek Road from City limits to Five Points Intersection to Miller Valley Road to Grove Avenue to West Gurley Street and east to Courthouse Plaza.

For purposes of this subsection only, the notice provisions of Section 8-3-2 shall not apply, and the cost of landscaping and maintaining shall be borne by the City.

8-3-4: SEVERABILITY:

The provisions of this Chapter are declared to be severable and if any section, sentence, clause or phrase of this Chapter shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Chapter but they shall remain in effect, it being the legislative intent that this Chapter shall stand notwithstanding the invalidity of any part. (Ord. 1878, 3-24-87)

8-3-5: CIVIL VIOLATION:

In addition to any other remedy set forth herein, violation of any provision of this Chapter shall be a civil violation subject to the provisions of Section 1-3-2 of the Prescott City Code. (Ord. 2102, 8-8-89)

Town of Chino Valley

§ 52.18 REMOVAL BY TOWN.

When any such person to whom notice, as aforesaid, has been given, and on or before the date of compliance on the notice, or within such further time as may have been granted by the Council on appeal, fails, neglects or refuses to move from such property any or all rubbish, trash, weeds, filth, debris and dilapidated structures, the Clerk is authorized and directed to cause same to be removed and disposed of at the expense of the owner or person controlling the property. Upon completion of the work, the Clerk shall prepare a verified statement of account of the actual cost of the removal or abatement, the date the work was completed, and the street address and the legal description of the property on which the work was done, including 5% for additional inspection and other incidental costs in connection therewith, and shall serve a duplicate copy of the verified statement upon the person owning or controlling the property in the manner prescribed in § 52.16. The owner or person controlling the property shall have 30 days from the date of service upon him or her to appeal in writing to the Council from the amount of the assessment as contained in the verified statement. If an appeal is not filed with the Clerk within the 30-day period, then the amount of the assessment as determined by the Manager shall become final and binding. If an appeal is taken, the Council shall, at its next regular meeting, hear and determine the appeal and may affirm the amount of the assessment, modify the amount thereof, or determine that no assessment at all shall be made. The decision of the Council shall be final and binding on all persons.

(2001 Code, § 9-4-4)

Bullhead City

SEARCH

go

NOTIFICATIONS

[Home](#)

[365 Days to Sustainability](#)

[Airport](#)

[Agendas and Videos](#)

[Building Permits Online](#)

[Business](#)

[Calendar](#)

[City Manager](#)

[Code Enforcement](#)

[Department Directory](#)

[Economic Development](#)

[Employment](#)

[Government](#)

[Greyhound](#)

[How do I...?](#)

[Just For Youth!](#)

[Mayor and Council](#)

[Municipal Code](#)

[News](#)

[Off Highway Vehicles](#)

[Payments and Utility Forms](#)

[Photo Gallery](#)

[Police](#)

[Public Health](#)

[Recreation](#)

There are two basic forms of Notification that may be served upon any "Responsible Party" after a field inspection is conducted by a Code Enforcement Inspector.

15-DAY NOTICE AND ORDER TO COMPLY

Routine notification of a code violation is typically presented either on location, with a 15-day written Notice and Order to Comply (NOC), field notice or a written Notice and Order to Comply (NOC) will be mailed to the responsible parties, which may include a resident, property management and/or the recorded property owner of the property in violation.

The NOC advises what City codes are in violation, usually a brief explanation of required correction and a reinspection date among other enforcement information. After the fifteen days, a reinspection is conducted to verify if compliance to City Codes have been met.

Should the property still be in violation of one or more of the City codes a 15-Day Final Notice and Order to Comply will be mailed to the responsible parties. This NOC reiterates the code violations and remedies and final reinspection date.

ABATEMENT NOTICE AND ORDER TO COMPLY

Abate: *ab*-*bait* 1. a: to put an end to <abate a nuisance> 2 a: to reduce in degree or intensity property interests > Public regulation of land use > Public nuisance

NUISANCE ABATEMENT NOTICE AND ORDER TO COMPLY

This is a written NOC that describes items in detail that are in violation of City Codes which creates a nuisance to the neighborhood &/or community and the required corrective action necessary to meet compliance.

This type of NOC also advises the recorded property owner of the required corrective action necessary to meet compliance with City Codes. IF the responsible party fails to correct and remove the items of violation, the City may abate the violation from the property. This would result in removing and disposing of any items in violation, at the property owner's expense &/or file a criminal court complaint through the City Prosecutor's Office to appear before the City Magistrate for the violation(s). In addition if the invoiced fees for the abatement are not paid to the City Finance Department an assessment can be placed against the property through the Mohave County Recorders Office.

DANGEROUS BUILDING ABATEMENT NOTICE AND ORDER TO COMPLY

This is a written NOC that describes a structure or situation in detail that is in violation of City Codes which creates an unsafe or hazardous element to the occupant, neighborhood &/or community.

Specific required corrective action necessary to meet compliance is described, which may range from simply repairs and property maintenance, major structural repairs or possibly demolition of a structure in whole or part. IF the responsible party fails to correct the violation as required the City may proceed with an applicable abatement action to eliminate the Dangerous Building issue. Typically this may result in temporarily securing an open accessible structure to demolition, in whole or part. This would NOT result in required repairs to a structure. A criminal court complaint may also be filed through the City Prosecutor's Office to appear before the City Magistrate. In addition if the invoiced fees for the abatement are not paid to the City Finance Department an assessment can be placed against the property through the Mohave County Recorders Office.



IMPORTANT! All Aurora City Government Phone Numbers Are Changing! More Details

Weed Abatement Program

The Weed Abatement Program is designed to protect the residential neighborhoods of Aurora. The maximum permitted height of grass is eight inches (8"). This program is important because tall grass and weeds:

- Reduce adjacent property values and prevent neighbors from having full enjoyment of their property during spring and summer months.
- Attract vermin and insects creating a potential health hazard.
- Cause hay fever and other allergy problems.
- Create a potential fire hazard.
- Detract from the overall beauty and desirability of the City.



The City is authorized to cut tall grass and weeds on property and charge the owner for the cost of cutting as well as an escalating fine.

Violations may be reported to the City of Aurora's Customer Service Division [online](#) or by calling (630) 264-INFO.

Ordinance

Weeds. Duty Of Property Owner; Excluded Areas

Section PM 302.4 - A. Every property owner is required to cut and destroy all weeds located on land within the jurisdictional limits of the city whenever they exceed a height of eight (8) inches or if, in the opinion of the health authority, destruction of weeds is necessary. Any property owner who does not maintain property as required by this section shall be in violation of this code.

B. The health authority may exclude from the provisions of this section any land located in a public nature area or not within two hundred (200) feet of any private residence or place of public use; provided, that such weeds do not otherwise cause a health or safety hazard in the opinion of the health authority.

C. The health authority shall exclude those areas located within any property owned or leased by a unit of local government within the jurisdictional limits of the city used for institutional or recreational purposes.

Notice To Abate

Section PM 302.4.1 - A. Lots with occupied structures. Notice to abate a violation of this section shall be given in writing to the property owner and shall state a specified period of time for abatement by the property owner. Where a property owner can not be found, or otherwise served with notice by mail, then alternatively, notice to abate a violation of this article may be given by posting a sign in a conspicuous place near the main entrance of a structure on the property. In either event, the text of the notice shall contain a reference to the provision of this code violated and may contain such other information respecting the nature of the violation as the health authority deems advisable.

B. Lots with unoccupied structures and vacant lots. The city shall cause to be published in a newspaper of general

circulation within the city limits once a week for two consecutive weeks during the month of May of each year a notice informing all such property owners that the growth of weeds on any such lot is contrary to the ordinances of the city. The notice shall further inform the public that should the weeds ever grow to more than eight (8) inches in height, the city may cut the weeds without further notice and the property owner shall be liable to the city for its costs. This notice shall be a display advertisement.

C. It shall be unlawful for anyone to deface, tamper with, or remove the "Notice to Abate" sign from the property where it is posted unless authorized by the health authority.

Penalties

Section PM 302.4.2 - A. After notice has been provided pursuant to Section 302.4.10 the health authority is authorized to cut or destroy such weeds. If the health authority cuts or destroys any weeds as provided in this section, the city shall have a lien for the costs of abatement, including recording fees and offender provisions herein, for an administrative fee in the amount established including, expenses which may have been incurred by the city regarding such abatement. Offender provisions shall increase in the amount each time the city is required to cut or destroy weeds within a growing season (May 1st to November 15th) as follows:

1. First time offense: fifty dollars (\$50.00)
2. Second time offense within the same growing season: one hundred fifty dollars (\$150.00)
3. Third time offense within the same growing season: two hundred fifty dollars (\$250.00)
4. Fourth time offense within the same growing season: five hundred dollars (\$500.00)

D. A property owner who fails to cut or destroy weeds, as required in the notice provided in Section 302.4.1, shall be guilty of an offense punishable as provided herein. Each day a violation exists after notice is sent, posted or advertised, shall be a separate offense. In addition to the penalty provided in this section, the city may apply for injunctive relief to require abatement, in addition to any other remedies available.

City of Aurora

Property Standards

1 South Broadway

Aurora, Illinois 60505

Phone: (630) 897-4589

Fax: (630) 906-4092

Office Hours

Monday - Friday

8am - 5pm

add contact

Chapter 8.48 WEED AND RUBBISH ABATEMENT

Note

* Prior ordinance history: Ord. 396.

8.48.010 Title.

This chapter shall be known as the “Weed and Rubbish Abatement Ordinance.” This chapter applies to all property within the city of Santee and to those areas where the Santee Fire Department provides fire prevention services pursuant to agreement. (Ord. 443 § 1 (part), 2004)

8.48.020 Waste matter defined.

“Waste matter,” for the purpose of this chapter, means unused or discarded matter having no substantial market value, which is exposed to the elements and is not enclosed in any structure or otherwise concealed from public view, and which consists (without limitation or exclusion by enumeration) of such matter and material as:

- A. Rubble, asphalt, concrete, plaster, tile;
- B. Rubbish, crates, cartons, metal and glass containers. (Ord. 443 § 1 (part), 2004)

8.48.030 Nuisance—Designated—Generally.

A. All weeds or dry grasses over four inches in height, dead shrubs, dead trees or tree limbs within ten feet of a chimney, rubbish, or any material growing or discarded upon the streets, parking areas, sidewalks, or upon private property within the city which bear seeds of a wingy or downy nature or which by reason of their size, manner of growth and location constitute a fire hazard to any building, improvement, crops or other property, and weeds or grasses which, when dry, will in reasonable probability constitute such a fire hazard are hereby declared to be a public nuisance.

B. Cultivated and useful grasses and pastures are not a public nuisance; provided, however, that if the fire chief or his or her authorized representative determines it necessary to protect adjacent improved property from fire exposure, an adequate fire break may be required. (Ord. 443 § 1 (part), 2004)

8.48.040 Nuisance—Designated—Waste matter.

Waste matter as defined in Section 8.48.020, which by reason of its location and character would materially hamper or interfere with the prevention or suspension or suppression of fire upon any lot, property or premises, or the abatement of a nuisance as defined by Section 8.48.030, is a public nuisance. (Ord. 443 § 1 (part), 2004)

8.48.050 Notice to abate—Authority.

If it is determined by the fire chief or his or her authorized representative, that a public nuisance, as designated in Sections 8.48.030 and 8.48.040, exists on any lot, property or premises in the city or upon any sidewalk, parking area or street adjacent to such lot, property or premises, the fire chief or his or her authorized representative shall cause, including through the use of a third party contractor, a notice to be issued to abate such nuisance. Such notice shall be headed: “NOTICE TO ABATE PUBLIC NUISANCE” in legible characters, shall direct the abatement of the nuisance and shall be directed to the owner, occupants or person in charge or control of the lot, property or premises. (Ord. 443 § 1 (part), 2004)

8.48.060 Notice to abate—Service.

The notice required by Section 8.48.050 may be served in any of the following ways:

- A. By personal service on the owner, occupant or person in charge or control of the lot, property or premises. Service shall be complete upon such personal service;
- B. By regular mail addressed to the owner or person in charge and control of the lot, property or premises, at the address shown on the last available property assessment roll, or as otherwise known. Service shall be deemed complete upon the deposit of said notice, postage prepaid, in the United States mail;
- C. By posting at a conspicuous place on the lot, property or premises or abutting public right-of-way for five consecutive days. Service shall be deemed complete on the day after the fifth consecutive day of posting. (Ord. 443 § 1 (part), 2004)

8.48.070 Notice to abate—Appeal.

- A. Within twenty days from the date of service of the required notice, the owner or person occupying or controlling such lot, property or premises affected may appeal to the fire chief. Such appeal shall be in writing and shall be filed with the city clerk. An administration fee of twenty-five dollars shall accompany any appeal filed. Said fee may be waived by the city manager or his or her authorized representative if financial inability can be reasonably shown. Application for a waiver shall be in the form of a letter signed by the owner or appropriate designee. The fire chief or his or her authorized representative shall hold a public hearing not less than five calendar days nor more than twenty calendar days from receipt of both a written appeal and the administrative fee.
- B. The decision of the fire chief or his or her authorized representative thereupon shall be final and conclusive unless a written appeal is made to the Santee City Council within five business days of the decision of the fire chief or his/her authorized representative. Such appeal shall be in writing and shall be filed with the city clerk. An additional administration fee of twenty-five dollars shall accompany any appeal filed. Said fee may be waived by the city manager or his or her authorized representative if financial inability can be reasonably shown. Application for a waiver shall be in the form of a letter signed by the owner or appropriate designee. The city clerk shall notify the appellant in writing no later than seven days prior to the scheduled hearing of the time, date and place of the hearing by mailing such notice to him or her at the address stated in his or her written appeal.
- C. The Santee City Council shall hear the appeal as scheduled in the notice. The Santee City Council's decision on the issue shall be final. (Ord. 443 § 1 (part), 2004)

8.48.080 Duty to remove nuisance.

It shall be the duty of the owner, the agent of the owner, or the person in possession of any lot, property or premises in the city, within twenty days from the date of notification as provided in this chapter, or in case of an appeal, within ten days from the final determination thereof, unless the same is sustained, to remove the nuisance as stated in the Notice to Abate Public Nuisance. It shall also be the duty of the owner, occupant or person in charge of the property to obtain all required permits or approvals from all other governmental agencies, including the California State Fish and Game and the U.S. Fish and Wildlife Service, prior to removal of the nuisance. (Ord. 443 § 1 (part), 2004)

8.48.090 Abatement by the city—Cost report and account—Filing required.

If the owner, occupants or person in charge of the subject property fails or neglects to remove the nuisance as defined in this chapter, within the time specified in this chapter, the fire chief or his or her authorized representative shall cause such nuisance to be abated. The abatement work may be done by city crews or by private contractor. A report of the abatement proceedings and an accurate account of the charges for abating the nuisance on each separate property shall be filed with the Santee City Council. (Ord. 443 § 1 (part), 2004)

8.48.100 Cost report and account—Approval and posting requirements.

The city clerk shall thereupon set the cost report and account for approval by the Santee City Council at the first regular or adjourned regular meeting, which will be held at least seven calendar days after the date of filing, and shall post a copy of the report and account and notice of the time, date and place of approval in a conspicuous place at or near the entrance of the council chambers in the city office. (Ord. 443 § 1 (part), 2004)

SHARE [Facebook] [Twitter] [LinkedIn] Email Print

You are here: [Home](#) > [Departments](#) > [Code Enforcement](#) > [Violations](#) > [Weed Abatement](#)

Weed Abatement

Violation of City Ordinance

Tall weeds or grass inside the corporate limits of the City of Claremore is in violation of City Ordinance.

If the state of your property is found to be in violation, the property owner may be fined or have their property abated.

Tall grass or weeds must meet the following criteria to be considered a violation:

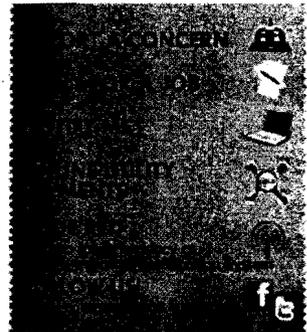
- Must be at least 12" in height
- Must be at least 20% of front, side, or rear yards, or any combination thereof
- Must not be cultivated flowers or gardens

If Your Property is in Violation

- Five day notice will be sent to owner and occupant if different
- Five day FTC notice will be sent before any citations or abatement procedures
- Citations will be issued to the property owner if property is occupied
- Abatement will be ordered if property is vacant
- Photos will be taken before and after the abatement

Exceptions

- Citations may be issued to occupant instead of owner if a special situation exists at the property
- Weeds and grass may be summarily abated for six months after initial abatement procedures without further notice to the property owners



City of Claremore, Oklahoma
104 S Muskogee
Claremore, OK 74017
Ph: (918) 341-1325
F: (918) 341-7751



Zoning & Nuisances: Common Complaints

Snow

The snow ordinance in Iowa City states that the entire width of a public sidewalk must be cleared of a 1 inch or greater snowfall within 24 hours after the snow has stopped. The Department of Housing and Inspection Services receives complaints and investigates to verify that the snow and/or ice has not been removed. If the inspector finds that the public walk has not been cleared, the property is posted and a letter of violation is sent by regular mail to the property owner. An inspector will return to the property approximately 24 hours later and if the property has still not been cleared, the City hires an outside contractor to clear the snow and the property owner is charged that amount plus a \$75.00 administrative fee. If there is a second violation confirmed during that same season, the City can immediately clear the sidewalk without notification of the property owner. Reports of unshoveled sidewalks can be made to the 24/7 automated recorder at 319-356-5152.



Tall Grass/Weeds

The enforcement period of the Iowa City weed ordinance is year round. If the Department of Housing and Inspection Services receives a complaint during that period, an inspector is sent out to verify if the grass and/or weeds are 14 inches or more tall. The property owner is also responsible for mowing the City right of way adjacent to their property. Also, any plant material is not allowed to obstruct a public way or sidewalk no matter what its height. If the inspector confirms the complaint, the property is posted and a letter of violation is sent to the property owner stating that they have 7 days to mow the property. On the 8th day, the inspector goes back to the property to see if it has been mowed. If not mowed, the City will hire an outside contractor to mow the property and charge that amount to the property owner plus a \$75.00 administrative fee. If there is a second violation confirmed during the same season, the property owner is given 3 days to mow the property; if not mowed in that time frame, the City will hire a contractor to mow.



Inoperable/Obsolete Vehicles

The storage, parking and/or leaving of an inoperable/obsolete vehicle upon private property in Iowa City in excess of 48 hours is prohibited. An inoperable/obsolete vehicle is defined as any vehicle which may be transported or drawn upon a public street which exhibits any one of the following characteristics:

1. a broken windshield or any other broken glass
2. a broken door, fender, bumper, steering wheel, hood, trunk top or tail pipe
3. lacks an engine or one or more wheels or any other part which renders the vehicle inoperable
4. is a habitat for rats, mice, snakes or any other vermin or insects
5. is not capable of moving in both forward and reverse



Adjust Text Size **A A A**

- [ICgov.org Home](#)
- [HIS](#)
- [Building Inspection](#)
- [Rental Housing](#)
- [Housing Authority](#)
- [Universal Home Design](#)
- [Zoning & Nuisance](#)
- [Nuisance Ordinance](#)
- [Documents](#)
- [Contact Us](#)
- [File a Complaint](#)
- [Online Services](#)
- [Sidewalk Snow Complaints](#)