

ORDINANCE NUMBER 02-08
AN ORDINANCE TO CONTROL GRASS AND NOXIOUS WEEDS ON PROPERTY WITHIN THE VILLAGE.

THE VILLAGE OF MORLEY ORDAINS:

SECTION 1. PURPOSE.

The purposes of this ordinance are to preserve the stability, harmony, and appearance of the properties within the Village by requiring the owners and occupants of dwellings to maintain their lawns in reasonable condition and appearance in conformity with the standards of the Village, and to protect the health and safety of the residents of the Village by controlling the growth and spreading of noxious plants and weeds.

SECTION 2. CUTTING OF GRASS AND WEEDS

No owner or occupant of any premises, be it residential, industrial, commercial, or other, shall permit the growth (growth being that of a height not exceed 8 inches) of grass, weeds, or other undesirable vegetation on property surrounding any and all buildings on said properties to a minimum distance of 50 feet from the walls of the structure or to the next joining property or to the traveled portion of the roadway. If parts or all of the property is located such as that it is not to be intended to be continuously maintained (such property as wetland, wooded areas, agricultural land, and some vacant lots) and is not to create a nuisance, the property shall be temporarily exempted from this ordinance with the approval from the Village Board, but may at any time be required to meet these requirements.

SECTION 3. DUTY OF OCCUPANT OR OWNER.

It shall be the duty of the occupant or owner of every premises within the Village, to cut and remove, or destroy, by lawful means, all such grass, weeds, or rank vegetation as often as necessary to comply with the provisions of Section 2.

SECTION 4. REMOVAL BY VILLAGE; COSTS TO OWNER OR OCCUPANT.

If the provisions of Section 2 or Section 3 are not complied with, a Village Board Member, the Department of Public Works Employee, or the Village Police Officer shall notify the occupant and/or owner of the premises to comply with the provisions of said Sections within a time to be specified in said notice, which notice shall be given in accordance with Section 5 of this ordinance. The notice shall require compliance with Section 2 and Section 3 of this ordinance within 5 days after service of such notice. If the occupant or owner does not comply within the time identified, the Village Board may cause such weeds, grass, and other vegetation to be removed or destroyed, and the actual cost of such cutting, removal, or destruction plus costs of inspection and other additional costs in connection therewith shall be charged against the premises and the same shall be billed to the owner. If any such charges are not paid within 30 days after billing, they shall be collected as a single lot assessment as permitted by law.

SECTION 5. NOTICE TO REMOVE.

Notice to the owner or occupant of a premise required to be given under Section 4 shall be served by:

- A) Posting said notice in some conspicuous place on the premises for 5 days, and mailing the notice to such person at his last known address; or
- B) Delivering the notice personally to the owner or occupant or by leaving the same at his/her residence, office, or place of business with some person of suitable age and discretion.

SECTION 6. PENALTY FOR VIOLATION.

Any person who shall fail to comply with Sections 2 or 3 of this ordinance shall be subject to the penalties of ordinance violation as stated in Section 4, and any person, corporation, or other entity violating any provisions of this ordinance, shall be subject to a fine of not more than \$100.

ORDINANCE NUMBER 02-08 - CONTINUED
AN ORDINANCE TO CONTROL GRASS AND NOXIOUS WEEDS ON PROPERTY WITHIN THE VILLAGE

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect ten (10) days after it's adoption or upon the publication of a synopsis of this ordinance, whichever occurs first.

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT ARE HEREBY REPEALED.

I hereby certify to the adoption of this ordinance at the October 13, 2008 regular board meeting and cause the same to be published as required by law. Yeas: 5 Nays: 0 Ordinance declared adopted.

Published: Oct. 17, 2008 Effective Date: Oct. 17, 2008


Shannon Kelley, Village Clerk


Henry Petersen, President