

# Weed Ordinance Update

Community Development



# Nuisance Weeds

- Weed regulations contained in Chapter 6 - Nuisances, Article II - Specified Nuisances, Section 6-2012 - Weeds and Vegetation
- Enforcement of Chapter 6 is by the Neighborhood Services Division
- NS conducts both reactive and proactive enforcement (work plan, active notifications, engagement with large tract owners)



# Previous State (pre 2012)

Two tiers:

- Any property (developed / undeveloped) one acre or less - 6 inches anywhere
- Any property larger than one acre - 6 inches within twenty feet of developed lot or within forty feet of any road.



# Current State (post 2012)

Three tiers:

- Any developed property regardless of area and undeveloped property less than one acre - 8 inches anywhere
- Undeveloped property more than one acre but less than five acres - 16 inches anywhere
- Undeveloped property more than five acres – 16 inches within 20 feet of adjacent developed property, tract, parcel or adjacent roadway – no height limit elsewhere\*



# Current State

- \*Ord. 2051 passed in 2015 clarified undeveloped properties more than five acres must cut weeds 20 feet from the boundary of the right-of-way line of the adjacent road – not just from the edge of the physical roadway.



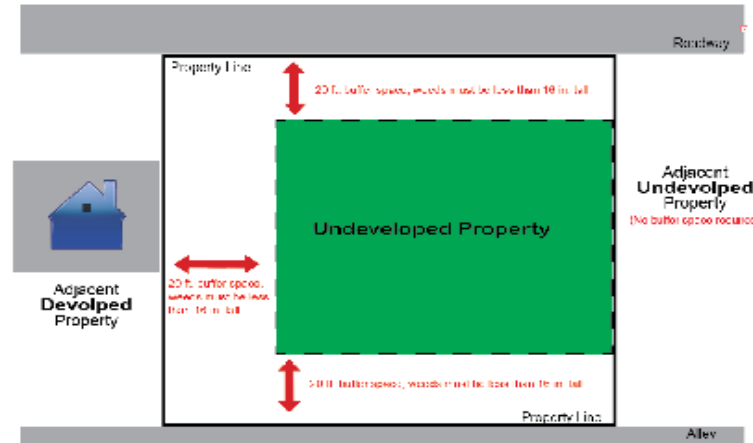
# Code Comparison

Previous State	Current State
<p><b>Properties less than 1 acre in size:</b> 6 inch max height for entire property.</p>	<p><b>Developed property and properties less than one (1) acre in size:</b> 8 inches maximum height entire property.</p>
<p><b>For properties larger than 1 acre:</b> 20' perimeter (6 inches maximum height) where adjacent to a developed parcel, and 40' perimeter (6 inches maximum height) where adjacent to a roadway.</p>	<p><b>1 to 5 acre properties:</b> 16 inch maximum height entire property.</p>
<p>N/A</p>	<p><b>Properties over 5 acres:</b> 20' perimeter from right-of-way / property boundary, 16 inch maximum height. Interior has no limitations</p>
<p><b>Exempt:</b> ornamental grass, native plant material or other materials identified in the city-approved plant list and landscape specifications or any other list approved by the city.</p>	<p><b>Exempt:</b> existing exemptions, plus authorized agricultural uses (except within for a 20' strip adjacent to an Arterial roadway, which must not exceed 16")</p>
	<p><b>NOTE:</b> Contiguous parcels under single ownership can be aggregated into a single "property."</p>

# City Comparison

<b>BRIGHTON</b>	DEVELOPED PROPERTY	6 INCHES ANYWHERE ON PROPERTY
	PROPERTY > 1 ACRE	6 INCHES WITHIN 20 FEET OF ANY ADJACENT DEVELOPED PROPERTY, DEDICATED STREET OR OTHER RIGHT OF WAY. NO LIMIT ELSEWHERE.
	ADJACENT RIGHT OF WAY	6 INCHES BETWEEN PROPERTY LINE AND CURB FACE, FLOW LINE EDGE OF PAVEMENT, CENTERLINE OF ALLEY
<b>THORNTON</b>	PROPERTY < 5 ACRES	8 INCHES ANYWHERE ON PROPERTY
	PROPERTIES > 5 ACRES	8 INCHES WITHIN 100 FEET OF PROPERTY LINE OF ANY PROPERTY OR RIGHT OF WAY. NO LIMIT ELSEWHERE.
	ADJACENT RIGHT OF WAY	NOT SPECIFICALLY ADDRESSED – A MIXED BAG DEPENDING ON HISTORY / SHARED RESPONSIBILITY
<b>AURORA</b>	DEVELOPED PROPERTY	8 INCHES ANYWHERE ON PROPERTY
	UNDEVELOPED PROPERTY	12 INCHES WITHIN 200 FEET OF ANY DEVELOPED PROPERTY, DEDICATED STREET. NO LIMIT ELSEWHERE.
	ADJACENT RIGHT OF WAY	8 INCHES ADJACENT TO DEVELOPED PROPERTY, 12 INCHES ADJACENT TO UNDEVELOPED PROPERTY. WHEN HEIGHT IS EXCEEDED WEEDS MUST BE CUT TO 6 INCHES
<b>GREELEY</b>	DEVELOPED PROPERTY	12 INCHES ANYWHERE ON PROPERTY
	VACANT / UNIMPROVED PROPERTY	12 INCHES ANYWHERE ON PROPERTY
	ADJACENT RIGHT OF WAY	12 INCHES

**Figure 1:** Undeveloped property with 20 ft. of buffer space within the property line, measured next to any adjacent developed property, roadway or alley.



**Figure 2:** Property Owners are responsible for maintaining areas in the public right-of-way beyond property lines, extending to the center of the right-of-way next to the property.



**Figure 3:** Example Images



**Incorrect:** There is no buffer space and weeds are not maintained behind the property line.



**Correct:** If the fence exists and weeds are maintained behind the property line.



# Council's Desire for Change

Change to current state in 2012

- Consistency between private property and City property
- Developers of large parcels not near existing developments concerned with burden



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Questions?

