



Ordinance #2268: An update to the Municipal Code Sec. 3-2304 Penalties and Sec. 6-2012.- Maintenance of Property

City Council May 4, 2020

Background

- In early 2019, Council requested an informational update regarding the City's nuisance weed regulations for large tract properties and inquired about possible changes to Sec. 6-2012. – Weeds and vegetation
- Two study sessions were held last year (May and October)
- Change suggestions:
 - Update the Municipal Code section 6-2012(b)(1)(d) to better identify the owner's responsibility of maintaining and mowing beyond property lines to a street, highway or arterial roadway.
 - Remove unlimited height and require 16 inches anywhere on undeveloped property and 8 inches on portions that are within any adjacent developed property, tract, or parcel or any adjacent road.

Background

- Update the lot size from a 3 tier system to:
 - One acre or less or any developed property regardless of size
 - Greater than one acre undeveloped
- Update the penalty structure from current state
 - \$100.00 first notice; \$300.00 second notice; \$500.00 third notice and \$999.00 for forth notice in one year regardless of property size -to-
 - A specific fee structure with higher punitive damages to property owners that fail to comply with weed height standards. Recommendations were that the first violation start at \$500.00 and \$999.00 for the second and sequential notices within current year
- Increase abatement charges from 15% of abatement fee plus contracted abatement cost to 30% of abatement cost to de-incentivize property owners from using the City as property managers



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Council Direction

- From the October study session, City Council directed staff to move forward with an updated amendment that reflects the following:
 - Provide clear language to better address the maintenance responsibilities and requirements of land owners
 - Establish a more consistent look for lots that will create a more aesthetically pleasing look while helping to mitigate noxious weeds by changing the height regulations on undeveloped lots
 - Created a new violation process and fee structure specific to nuisance weed regulations and property maintenance
 - Change the current three tier system to one acre or less and greater than one acre

Updated Sections

- Section 6-2012
 - Title updated
 - (a) Definitions:
 - (2-8) better defined, removed, and/or updated
 - (b) Title updated
 - (1)(a-e i-iv) better defined, removed, and/or updated
 - (3-4 5a and c 6a-b) better defined, removed, and/or updated
 - (c) Title updated
 - (1-2) better defined, removed, and/or updated
- Section 6-2013
 - Deleted and reserved for
- Sec. 3-2304
 - (3) Added to establish penalties for noncompliance of 6-2012(b)(1)



Questions

City Council March 16, 2020