

Sec. 26-42. Weeds, brush and unsightly matter.

- (a) It shall be unlawful for any person owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city, to permit weeds, brush or any objectionable or unsightly matter to grow to a height greater than ten inches upon such real property within 200 feet of any property line that abuts street rights-of-way, alleys, utility easements, subdivided additions, developed property or any buildings or other structures. It shall be the duty of such person to keep the area from the line of his property to the curb line next adjacent to it, if there is a curb line, and, if not, then to the centerline of the adjacent unpaved street, or to the edge of the pavement, cleared of the matter referred to above. All vegetation (including hay, unless the hay is cultivated on property that has been granted an agricultural property tax exemption on the most recent tax roll as certified by the county appraisal district in the county in which the property is located), except regularly cultivated row crops, that exceeds ten inches in height shall be presumed to be objectionable and in an unsightly matter; provided further that regularly cultivated row crops shall not be allowed to grow within the right-of-way of any public street or easement nor shall such crops be allowed to obstruct the necessary view to and from adjacent rights-of-way, but shall be kept mowed as provided herein.
- (b) With respect to lots, tracts or parcels of land of five or more acres, the provisions of this section shall not apply to any area situated more than 200 feet from any open public street or thoroughfare, as measured from the right-of-way line of said street or thoroughfare, and situated more than 200 feet from any adjacent property under different ownership and on which any building is located or on which any improvement exists, as measured from the property line.

(Ord. No. 2003-03-25, § 3(3), 3-25-2003)

Sec. 26-44. Duty of owner or occupant to cut and remove weeds, brush and unsightly matter.

It shall be the duty of any person owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, as described in sections 26-41 and 26-42, to remove, drain and/or fill all prohibited matter or conditions and to cut and remove all weeds, brush, vegetative growth, and other objectionable or unsightly matter as often as may be necessary to comply with sections 26-41 and 26-42 and to use every precaution to prevent the same from occurring or growing on such property. Failure to so comply shall be a violation of this article.

(Ord. No. 2003-03-25, § 3(5), 3-25-2003)