

CITY OF PETERSBURG

ORDINANCE NO. 2009-01

AN ORDINANCE TO REGULATE
VEGETATION

THE CITY OF PETERSBURG ORDAINS:

Section 1 The maintenance of any property in the city shall be as follows:

- (a) Turf grass of up to six inches in height shall be maintained with-in the developed areas of the City of Petersburg.
- (b) A public nuisance shall be declared if the vegetation exceeds the noted height, noxious weed permeate the property, or diseased, dying or dead trees or shrubs exist on the property.
- (c) Public nuisance is defined as an annoyance, causes injury, or endangers the safety, health, comfort, or repose of the public.

Section 2 Noxious weeds are defined to include the following:

Canada Thistle (Circium Arvense) Dodders(any species of Cuscuta), Mustards (Charlock,BlackMustard, Indian Mustard, Brassica, Sinapis) Wild Carrot (Daucus Carota) Bindweed (Convolvulus Arvensis) Perennial Sowthistle (Sonchus Arvensis) Hoary alyssum (Berteroa Incana) Ragweed (Ambrosia Elatior 1.) and Poison Ivy (Rhus Toxicodendron) Poison Sumac (Toxicodendron Vernix) and any other plants as determined by the City Administration.

Section 3 Duty of Owner or Occupier of land to cut:

It shall be the duty of every owner, possessor or occupier of land and every person having charge of any land in the City to remove, destroy or cut or cause to be removed, destroyed or cut any vegetation which constitutes a public nuisance as noted in section 1b

Section 4 Publication of Notice:

During Each Calendar year the City Clerk shall publish a notice in a newspaper of general circulation stating that May 1st is the date by which owners, occupiers, and possessors of land in the City shall have complied with the provisions of this article regarding the removal, destruction or cutting of the above noted vegetation.

Section 5 Failure to abate; Authority of Public Works Superintendent to remove, recovery of costs from owner, occupier and possessor:

- (a) If any person shall fail to comply with the provisions of this article by the date

specified in Section 4 the Superintendent of Public works shall cause all such vegetation to be removed, destroyed, or cut from the lands of the person not complying with the provisions of this article. The Superintendent of Public Works or his authorized representative shall have the authority to remove, destroy, or cut the above noted vegetation as often as is necessary to effect compliance with the provisions of this article.

- (b) The Superintendent of Public Works and his authorized representatives are hereby empowered to enter upon any premises in the city for the purpose of removing, destroying or cutting vegetation under the provisions of this article and no person shall molest or interfere with superintendent of public works or his authorized representative while they are engaged in carrying out the provisions of this article.
- (c) The Superintendent of Public Works or his authorized representative shall keep an accurate account of the expenses incurred by the city with respect to each parcel of land in carrying out the provisions of this article and shall prepare and sign an invoice for the City Clerk and Treasurer. The City Treasurer shall add twenty (20) percent to the amount of the prepared invoice to reflect the cost of supervision and billing and add the total cost to the tax bill of the property owner.

Section 6 Violations of Article; Penalty:

- (a) If during any calendar year the Superintendent of Public Works or his authorized representative shall be required to remove, destroy, or cut the above noted vegetation on any property three or more times, then the owner of the property shall be deemed guilty of a misdemeanor and, upon conviction there of, shall be punished by a fine not to exceed Five hundred and 00/1.00 (\$500.00) dollars or imprisonment for not more than ninety (90) days or both such fine and imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate violation.
- (b) Any person who shall molest or interfere with the Superintendent of Public Works or his authorized representative while they are engaged in carrying out the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as set forth in Section 6a.

Section 7 Repeals:

Ordinance 48 and all other ordinances inconsistent with this amendment shall be and are hereby repealed.

Section 8 Effective Date:

This ordinance shall become effective thirty (30) days after final passage and publication of a summary in a newspaper of local general circulation.

I hereby certify that this Ordinance was duly adopted by the Petersburg Council on the 16th day of March ,2009.

Lori L. Goss, Petersburg City Clerk

03/16/09
Date

Published: 03/19/09