

**VILLAGE OF ANNA**

**ORDINANCE REGULATING GRASS AND WEEDS**

**ORDINANCE NO. 1486-06**

**WHEREAS**, certain properties located within the Village of Anna (“Village”) are in need of lawn maintenance; and

**WHEREAS**, council has determined it is necessary to establish a procedure so that tall grass and weeds are not a nuisance to village residents.

**NOW THEREFORE**, be it ordained by the Council of the Village, at least a majority of the members elected thereto and concurring herein.

**SECTION 1**

- (A) Any person owning or having charge of land within the municipality shall keep such property free and clear from all noxious weeds and rank vegetation and shall be required to cut all such noxious weeds and rank vegetation on the lots owned or controlled by him or her.
- (B) Noxious weeds and rank vegetation shall include, but not be limited to:
  - (1) Any weeds such as the following:

**Noxious Weeds**

Buckthorn	Musk Thistle
Canada Thistle	Oxeye Daisy
Columbus Grass	Perennial Sowthistle
Corncockle	Poison Hemlock
Curly Dock	Quackgrass
Dodder	Russian Knapweed
Field Bindweed	Russian Thistle
French Weed	Serrated Tussock
Hairy Whitetop (Ballcress)	Shatter Cane
Hedge Bindweed	Wild Carrot
Heart-podded Hoary Cress	Wild Garlic
Horsenettle	Wild Mustard
Johnsongrass	Wild Onion
Leafy Spurge	Wild Parsnip
Mile-A-Minute Weed	

- (2) Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years;
- (3) Bushes of the species of tall, common, or European barberry, further known as *berberis vulgaris* or its horticultural varieties;
- (4) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding eight (8) inches.

## **SECTION 2**

The Village Chief of Police shall cause an annual notice to be published in a newspaper of general circulation in the County notifying the residents of the requirements of this chapter.

## **SECTION 3**

It is a prima-facie violation of this chapter if noxious weeds and rank vegetation eight (8) inches or more in height exist on any lot on any of the following dates: May 1, May 15, June 1, June 15, July 1, July 15, August 1, August 15, September 1, September 15, or October 1.

## **SECTION 4**

- (A) When the Village Chief of Police or his designated agent determines that such noxious weeds and rank vegetation, as described in this Ordinance exist on one of the days set forth in Section 3, he shall forthwith serve written notice by ordinary mail or hand delivery upon the owner or occupant, or any other person, firm or corporation, having the care of such lot or land, ordering the cutting and removal of such noxious weeds and rank vegetation within five (5) days.
- (B) If the address of the owner or other person having charge of the land is unknown, it is sufficient to send notice to the owners address listed with the Shelby County Auditor's office.
- (C) Only one notice per calendar year under subsections (A) or (B) hereof is required for a lot or parcel. If, after a notice has been served in accordance with this section, the Village Chief of Police, or his designated agent, determines that a subsequent violation has occurred, the Village may proceed with the remedy set forth in Section 6 of this Ordinance without further notice.

## **SECTION 5**

No owner, occupant, or any other person, firm, or corporation, having the care of a lot or land, shall fail to comply with the notice provided for in Section 4 of this Ordinance within five (5) days from the delivery thereof.

## **SECTION 6**

- (A) If the owner, occupant, or any other person, firm or corporation, having the care of the lands mentioned in this Ordinance, fails to comply with the notice provided for in Section 4, the Village shall cause such noxious weeds and rank vegetation to be cut and removed. Such cutting and removing shall be at the owner's expense and the costs, together with an administrative fee of twenty percent (20%) shall be assessed against the lot or land. Such administrative fee shall not exceed two hundred dollars (\$200.00).
- (B) Notice of such assessment shall be given to the owner of the lot or land charged therewith, or his agent, either in person or left at the usual place of residence or sent by ordinary mail to the address listed with the Shelby County Auditor, and all assessments not paid within ten (10) days after the giving of such notice shall, be certified by the Village Clerk to the County Auditor to be placed on the tax duplicate and collected as other taxes are collected.

Passed this 22<sup>nd</sup> day of August, 2006.

Julie Ehemann, Mayor

Dawn Pulfer, President of Council

ATTEST:

Kathleen Eshleman, Clerk of Council