BILL NO. 760 ORDINANCE NO. 760

AN ORDINANCE DECLARING ANY GROWTH OF TREES, SHRUBS, BUSHES, GRASS, WEEDS, PLANTS, OR OTHER VEGETATION WHICH OBSTRUCT STREET OR HIGHWAY SIGNS, STREET LIGHTS, OR VISABILITY OF AN OPERATOR OF A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES TO BE A NUISANCE; PROVIDING FOR THE ABATEMENT OF SUCH NUISANCE AND CREATION OF A LIEN ON REAL PROPERTY FOR RECOVERY OF ABATEMENT COSTS BY THE CITY; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOOD HEIGHTS, MISSOURI, AS FOLLOWS:

Section 1. Unlawful growth of vegetation; Nuisance declared.

No person, association, corporation, partnership, or other entity, owning, possessing or controlling or leasing any real property within the City of Wood Heights, Missouri, shall cause, permit or maintain upon any such property any growth of trees, shrubs, bushes, grass, weeds, plants, or any other vegetation (hereinafter collectively referred to as vegetation) which obstructs any street or highway sign, or a street light, or which obstructs any motor vehicle operator's ability to observe traffic approaching within 25 feet of any street or highway intersection within the City of Wood Heights, Missouri; and the existence of any such trees, shrubs, bushes, grass, weeds, plants, or any other vegetation is hereby declared to create a dangerous and hazardous condition and to be a public nuisance.

Section 2. Notice to abate or remove vegetation.

Whenever any vegetation in violation of this Ordinance is found on any real property within the City of Wood Heights, Missouri, the Judge of the Municipal Court of Wood Heights, Missouri, or the Chief of Police for said City shall order the abatement thereof after giving the owner, possessor, lessee, or other person in control of said property seven (7) days written notice to cut or trim said vegetation and if the owner is a non-resident of the City of Wood Heights, Missouri, or said owner, possessor, or lessee's whereabouts is unknown, said notice may

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be given by posting a notice on the premises for seven (7) consecutive days. If said vegetation is not cut or trimmed in accordance with the order of the Chief of Police then the Chief of Police shall proceed to have said vegetation cut or trimmed by some responsible person or by regular employees of the City. The cost of cutting or trimming said vegetation may be made a part of the judgment of the Municipal Court Judge, or the cost and expenses incurred by the City in cutting said vegetation shall be assessed against the owner, possessor, or lessee of the said real property by the Board of Aldermen as a special tax bill against said person's property, which tax bill shall be a special lien against said property and said tax bill shall be collected as other taxes. The Chief of Police shall be responsible to keep an accurate account of the costs of the cutting or trimming of said vegetation to be maintained upon his records and shall certify said costs to the Municipal Judge or to the Mayor and Board of Aldermen, whichever the case may be.

Section 3. Unlawful to fail to comply with notice to cut or trim vegetation.

Any property owner or person occupying or in possession or in control of real property, whether he be the owner or not, who shall fail or refuse to cut or trim said vegetation on said property within seven (7) days after service of the notice as herein provided in this Ordinance, shall be deemed guilty of a violation of this Ordinance.

Section 4. Penalty.

Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be fined in an amount not to exceed Five Hundred Dollars ($500.00) or by imprisonment for not more than ninety (90) days or both such fine and imprisonment. Each day such violation is committed shall constitute a separate offense and shall be punishable as such hereunder.

Ordinance shall upon conviction thereof, be fined in an amount not to exceed Five Hundred Dollars ($500.00) or by imprisonment for not more than ninety (90) days or both such fine and imprisonment.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

READ three times and PASSED by the Board of Aldermen and approved by the Mayor this 2 day of Oct, 1984.

Mayor

ATTEST:

City Clerk

APPROVED by the Mayor this 2 day of Oct, 1984.

Mayor

ATTEST:

City Clerk