

ORDINANCE NO. 2022-02

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GILMORE CITY, IOWA, BY AMENDING PROVISIONS PERTAINING TO HEIGHT OF GRASS

BE IT ENACTED by the City Council of the City of Gilmore City, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 52 of the Code of Ordinances of the City of Gilmore City, Iowa, is repealed and the following adopted in lieu thereof:

CHAPTER 52

HEIGHT OF GRASS RESTRICTED

52.01 Purpose

52.02 Height of Grass

52.03 Violation

52.04 Notice

52.05 Failure to Cut Grass

52.06 Exceptions

52.07 Penalty

52.08 Method of Services and Billing

52.01 PURPOSE. The purpose of this chapter is to establish a maximum height that grass on lands within the City may be grown before it must be cut.

52.02 HEIGHT OF GRASS. Grass growing on lands within the City shall be cut on a periodic basis so that the height of such grass is not more than eight inches in height.

52.03 VIOLATION. Upon a determination, by visual observation and measurement, that a violation of this chapter has occurred, the City will send written notice by certified mail to the landowner informing said owner of the problem and the action that is to be taken.

52.04 NOTICE. The notice will set forth that the property owner has seven calendar days from the date of the notice to have the grass cut so that the height conforms with this chapter. The notice will set forth the address of the property in question and will instruct the landowner that this notice constitutes notice for the balance of the summer and that further action will be taken by the City to remedy the problem if it occurs again on the same property without additional written notice being given.

52.05 FAILURE TO CUT GRASS. If any property owner, who has been sent notice, fails to cut the grass as set forth in the notice so that it conforms with this chapter within the time period set forth in the notice, the City shall cause the grass to be cut and the cost of such action will be assessed against the property.

52.06 EXCEPTIONS. This chapter pertains to all residential, commercial, and industrial land within the City limits, but excludes agricultural land within the City.

52.07 PENALTY. Any property, which is not mowed after the vegetation reaches a height of eight (8) inches or more may be mowed by the City of their agents, and a minimum charge of \$75.00 plus an additional charge of \$75.00 per hour per agent after the first hour for each such mowing, plus a surcharge

of \$100.00, will be charged to the property owner. Any property owners who fail to mow their properties, thus allowing the same to be mowed by the City or their agents, and who do not provide payment for the mowing as required, will be assessed by the City for such costs, which will be collected in the same manner as general property taxes. This fee schedule shall be reviewed annually to ensure that all costs are being recovered. If adjustments are required, the City Council may establish a new fee schedule by resolution.

52.08 METHOD OF SERVICES AND BILLING. Publication of this ordinance prior to April 15th of each year will be on the website, Facebook, and the general circulation of the newsletter of Gilmore City and will serve as notice to property owners. Any billings for mowing done by the City or their agents are due to be sent by regular mail and are payable within 30 days of billing date. If not paid within said thirty-day period, there will be an additional administrative fee of \$45.00 for each charge.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 11th day of August 2022 and approved this 11th day of August 2022.

Mayor

ATTEST:

City Clerk

First Reading: 8-11-2022

Second Reading: 9-12-2022

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 2022-02 on the 22nd day of September, 2022.

City Clerk