

An Ordinance Pertaining to Weeds; Cutting and removal of Weeds, Grass, etc.; and Setting the Method of Collection When City Does The Work; Repealing all Ordinance In Conflict Herewith and Stating When This Ordinance Shall Take Effect.

Be It Ordained By The Board of Aldermen of the City of St. Mary, Missouri, as follows:

Section 1. Cutting and Removal of Weeds, Grass, etc.

It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee, or occupant having control of any occupied lot or land or any part thereof in the City of St. Mary, Missouri, or for any owner, lessee or occupant, or any agent, servant, representative or employee of such owner, lessee or occupant having control of any occupied lot or land or any part thereof in the city which is surrounded on one or more sides by occupied land, to permit or maintain on any such lot or land, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb, any growth of weeds, grass and poisonous or harmful vegetation to a greater height than twelve (12) inches on the average, or any acculation of dead weeds, grass or brush, and it shall also be unlawful for any person or persons to cause, suffer or allow poison ivy, ragweed or other poisonous plant, or plants detrimental to health to grow on any such lot or land in such manner that any part shall extend upon, overhang or border any public place or allow seed, pollen or other poisonous particles or emanations therefrom to be carried through the air into any public place, and the growth of such weeds, grass and poisonous or harmful vegetation of a height of more than twelve (12) inches be hereby is declared to be a nuisance.

Section 2. Duty of Owner, Lessee or Occupant.

It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all such weeds, grass, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of Section 1.

Section 3. When the City Does The Work.

If the provisions of Section 2 are not complied with the City is to notify the landowner and/or owners by certified mail that the city believes a violation of the Ordinance No. 438 exists, and invite the property owners to a hearing to contest the charge. Such hearing is to be held ten (10) days from date of certified letter. Following the hearing, the City Board may declare the weeds to be a nuisance and order the same to be abated within five (5) days. If the owner or owners has not caused the weeds to be cut within five (5) days, the the city can do so. In compliance with Section 71.285 of the State Statues, the Street Commissioner shall certify the cost of the cutting of the weeds to the city clerk. The City Clerk shall cause a Special Tax Bill against the property to be prepared and to be collected by the City Collector, with other taxes assessed against the property. The tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and its validity and no mere clerical error of informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each Special tax bill shall be issued by the City Clerk and delivered to the City Collector on or before the First (1st) day of June of each year. Such bills if not paid when due shall bear interest at the rate of eight (8) percent per annum.

Section 4. Penalty

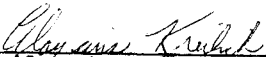
Each person who shall neglect to cut and remove weeds, grass or other vegetation as directed in this Ordinance, or who shall fail, neglect or refuse to comply with the provisions of any notice herein provided or who shall resist or obstruct the representative of the City in the cutting and removal of weeds, grass and other vegetation, shall upon conviction thereof, be guilty of a misdemeanor. The preparation of a tax bill, as authorized by Section 3 of this Ordinance shall not relieve any person of liability under this Section.

Any person, firm, corporation, partnership, association, organization or enterprise convicted of a violation of this Ordinance shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment of not more than one hundred eighty (180) days or by both such fine and imprisonment. Each day on which the violation shall remain on any premises shall constitute a separate offense.

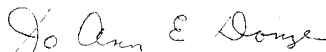
Section 5. All Ordinance or parts of Ordinances in conflict are hereby repealed.

This Ordinance shall take effect and be in force from and after its passage and approval.

Passed and approved this 23rd day of June 1983.

  
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Mayor Aloysius Kreilich

ATTEST:

  
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JoAnn E. Donze, City Clerk