

NOXIOUS WEED AND REFUSE ORDINANCE

Repealed  
6/14/2010  
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THE VILLAGE OF COLUMBIAVILLE ORDAINS:

1. SHORT TITLE. This Ordinance shall be known and cited as the "Noxious Weed and Refuse Ordinance."

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2. DUTY OF OWNER, POSSESSOR, OR OCCUPIER OF LAND. It shall be the duty of every owner, possessor or occupier of land or of every person or persons, firm or corporation having charge of any lands in the Village of Columbiaville to cut or destroy or cause to be cut or destroyed all Canada thistles, milkweed, wild carrots, oxeye daisies, ragweed, goldenrod, marijuana or other noxious weeds growing thereon, in such manner as shall effectually prevent such weeds from bearing seed or spreading to adjoining property, at least twice in each year, once before the first day of June and again before the tenth day of August, and as much oftener as may be necessary to prevent such weeds from bearing seed or spreading to adjoining property.

3. OBLIGATION OF THE VILLAGE TO CUT WEEDS. If any such person, firm or corporation shall fail to comply with the provisions of Section 2 above, within the time specified, the Village shall cause all such noxious weeds to be cut or destroyed upon lands of the person, firm or corporation not complying with the provisions hereof. Said Village shall keep an accurate account of all expense incurred with respect to each parcel of land entered upon in carrying out the provisions of this Ordinance, and shall make a sworn statement of said account and present the same to the Village Council who shall audit and allow such account and order same paid from the proper funds of the Village Treasury not otherwise appropriated.

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4. ASSESSMENT PROCEDURE OF COST OF CUTTING WEEDS. A copy of said sworn statement including an account of the costs incurred on each of the several descriptions or parcels of property, shall be transmitted to the Village Treasurer. The Village Treasurer shall add to all said accounts so audited and allowed, ten (10%) percent of the amount of all such expenditures to cover the costs of publications, overhead and other expense, and said total charges shall immediately constitute a lien and tax upon the land upon which such weeds were cut or destroyed. Within ten (10) days after receipt of said report, the Village Treasurer shall forward a statement of the total charges assessed on each parcel of property to the owner as shown by the last current assessment or tax roll and said assessment shall be payable within thirty (30) days without additional costs. If said assessments are not paid within thirty (30) days, the total amount of the assessments will be transferred or reassessed upon the next Village tax roll. The said Village Treasurer shall on or before the fifteenth (15th) day of May of said year, prepare a report of all parcels of property upon which said assessments have not been paid, and said unpaid assessments shall be reassessed upon the next Village tax roll in a column headed "Weed and Refuse Ordinance Assessment." Said assessments, when reassessed upon the Village tax roll shall be collected and paid in all respects as provided for the collection of County taxes. When these assessments are collected, they shall be paid into the Village Treasury to reimburse the outlay therefrom as hereinbefore provided.

5. PUBLIC NUISANCE. All weeds, grass, brush or non-ornamental bushes which are of the height of twelve (12") inches or more growing or lying upon any property in the Village, or any refuse or debris laying upon any property in the Village, are hereby declared to be public nuisances, and it shall be the duty of every owner, possessor or occupier of land, or of every person or persons, firm or corporation in charge of lands in the Village of Columbiaville upon which any of said above mentioned weeds, grass, brush or non-ornamental bushes, or refuse or debris is permitted to remain, to cause the same to be cut down, destroyed or removed in the same manner and within the time as provided in Section 2 hereof, except refuse or debris which must be removed at any time upon fifteen (15) day notice as required by Section

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NOXIOUS WEED & GRASS

6. In the event of their failure to do so, then the Village Manager, through the proper department or agency of the Village shall cause the same to be cut down, destroyed or removed in the same manner as provided in Section 2 hereof, and the Village Treasurer shall collect such sums of money covering the cost thereof as provided in Section 4 hereof.

6. NOTICE BY VILLAGE. The Village Clerk shall on or before the fifteenth (15th) day of May of each year give notice of the provisions of this Ordinance by causing notice thereof published once a week for two (2) successive weeks in a newspaper of general circulation in the Village of Columbiaville, on or before said fifteenth (15th) day of May, except in the case of refuse or debris which may be ordered removed at any time during the year. The foregoing notice shall be in substantially the following form:

VILLAGE OF COLUMBIAVILLE

NOTICE OF PROVISIONS OF

NOXIOUS WEED AND REFUSE ORDINANCE

TO ALL OWNERS, OCCUPANTS OR POSSESSORS OF VACANT PROPERTY:

Notice is hereby given that in accordance with Ordinance No. 97 of the Village of Columbiaville, all noxious weeds, or other weeds, grass, or non-ornamental bushes or brush which are a height of twelve (12") inches or more growing upon any property in the Village, or any refuse or debris lying upon any property, shall be cut down, destroyed or removed as the case may be, at least twice in each year, once before the first day of June and again before the tenth day of August, and as much oftener as may be necessary.

In case any owner, occupant or possessor shall fail or refuse to comply with the above mentioned ordinance, the Village shall, through the proper department or agency of the Village, cause said weeds, grass, or non-ornamental bushes or brush, or rubbish or debris to be cut down, destroyed or removed. The expense incurred by the Village in the cutting, destruction or removal of same together with a ten (10%) percent overhead charge will constitute a lien against the above described property and will be enforced as provided by ordinance.

The penalty for failure to comply with this notice may subject you to a fine of not less than five (\$5.00) dollars nor more than one hundred (\$100.00) dollars or in default in payment thereof you may be confined in the County Jail for a period of not more than ten (10) days or may be both fined and imprisoned in the discretion of the court.

Hilton Burgess  
Village Clerk

7. PENALTIES. Any person, firm, or corporation violating any of the terms of this Ordinance shall upon being found guilty be fined not less than Five (\$5.00) Dollars or more than One Hundred (\$100.00) Dollars or be confined to jail for not more than ten (10) days or may be both fined and imprisoned in the discretion of the court.

8. EFFECTIVE DATE. This Ordinance shall be in full force and effect on the 24<sup>th</sup> day of June, 1974.

Filed at Columbiaville Post Office - ~~Street~~  
Street Drug Store - Citizen Bank  
on June 12, 1974  
Hilton Burgess  
Village Clerk