

 **660.15 WEED AND GRASS CONTROL.**

(a) No owner, occupant or person in control of any lot or land within the City shall fail to cause such lot or land to be kept from noxious weeds growing or being upon such lot or land by destroying such weeds by spraying with a chemical compound approved by the Department of Service, by cutting and burning, by digging under, or by any other method approved by the Department. Every owner, occupant or person in control of any lot or land within the City shall cause grass on such lot or land to be maintained not higher than five inches in height form ground level.

(b) The Service Director shall issue notice to the owner, occupant or person in control of any lot or land within the City, on which any noxious weeds grasses, or other weeds in excess of five inches, fare growing or standing, to cut and/or destroy the weeds and/or grasses within two (2) days. The notice may be served by delivering it by one or more of the following procedures:

(1) Personally delivering it to the owner, occupant or person in control of the land;

(2) Delivering it or mailing it by regular or certified mail at the usual place of business or residence of the owner, occupant or person in control of the land;

(3) Posting it in a conspicuous place on the land involved. A separate offense shall be deemed to have occurred each day on which such weeds or grasses are allowed to stand longer than two (2) days after the receipt of such notice. Such weeds or grasses are hereby declared to be nuisances.

(c) If the nuisance is not abated within the required time, the Service Director shall cause its abatement and shall report the cost thereof to Council which may assess the same on the real estate on which the nuisance existed. Such remedy shall be in addition to the penalty provided in subsection (e) hereof.

(d) Upon receipt of such statement of expenses incurred, Council shall make written return to the County Auditor of its action under this section with a statement of the charges for its services, the amount paid for performing such labor and a property description of the premises, for the purpose of making the expenses a lien upon such lands to be collected as are other taxes and returned to the City with the General fund in accordance with Ohio Revised Code Section 731.54.

(e) Whoever violates this section is guilty of a minor misdemeanor and shall be subject to the penalty provided in Section [698.02](#) of the Codified Ordinances of the City of Maple Heights.

(Ord. 1982-83. Passed 6-3-82. Ord. 2007-43. Passed 5-16-07.)

680.05 PROCEDURES TO ABATE NUISANCES INVOLVING VEGETATION.

The following procedures shall apply to the abatement of a nuisance as defined by Section [680.01](#)(a)(2):

- (a) It shall be the responsibility of each owner of property within the City to maintain their property and abutting treelawns in a manner that prevents any weeds or grass from growing six inches or higher in height and that prevents any vegetation from obstructing views compromising safe ingress or egress or otherwise impeding traffic, including pedestrian traffic, on any public rights-of-way. If the owner does not cut or destroy, or cause to be cut or destroyed, vegetation as required herein, the Mayor or designee is authorized to cause said nuisance to be cut. Such abatement may be issued by the Mayor or designee without reporting said nuisance to Council in the manner provided herein.
- (b) The owner of property determined to be in violation of this section shall be served a written notice upon the first, and each subsequent, identified violation per calendar year. Such notice shall state that the owner has five calendar days to cut or destroy, or cause to be cut or destroyed, any weeds or grass that is six inches or higher in height or any vegetation that obstructs views compromising safe ingress or egress or otherwise impedes traffic, including pedestrian traffic, on any public rights-of-way. Further, the notice shall conspicuously state that failure to comply will result in the City causing the work to be done and the costs to be assessed against the property in the manner provided by this section.
- (c) When it is deemed necessary for the City to cut vegetation, in accordance with the provisions of this section, the owner shall be charged at the rate of one hundred fifty dollars (\$150.00) per hour or portion thereof, or the actual cost of the work, whichever is larger. The minimum charge shall be one hundred dollars (\$100.00). Within 30 calendar days after such work is performed, the City shall serve an order to the owner to pay the cost of such cutting, which shall include a statement of the amount of costs incurred and an explanation of the appeals process set forth in Section 680.10 herein. The order shall additionally state that failure to pay within 30 calendar days or timely appeal will result in the charge being certified to the County Fiscal Officer for collection as other taxes and assessments are collected.
- (d) If within 30 calendar days after the mailing of the order, the cost is neither paid nor timely appealed, it may be certified to the County Fiscal Officer for collection as other taxes and assessments are collected or the City may seek recovery of such costs by civil action against the property owner involved. An Affidavit of Facts shall be filed if more than five hundred dollars (\$500.00) has been expended by the City in abating the nuisance.
(Ord. 2016-106. Passed 3-1-17.)