

CITY OF TOLEDO

ORDINANCE NO. 2017-06

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 52 OF THE TOLEDO CITY CODE

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

SECTION 1. Purpose. The purpose of this Ordinance is to regulate lawns and weeds within the City of Toledo.

SECTION 2. Facts found. The Council of the City of Toledo, Iowa, hereby makes the following findings:

1. The current Chapter 52 of the City of Toledo Code of Ordinances should be amended.
2. The proposed amendments are in the best interests of the City of Toledo and the citizens of Toledo.
3. Notice of the proposed amendments to Chapter 52 has been published as required by law.

SECTION 3. Adoption of Amended Chapter 52. Chapter 52 of the City of Toledo Code of Ordinances is amended to read as follows:

CHAPTER 52

LAWNS AND WEEDS

52.01 Maintenance Required

52.02 Abatement

52.01 MAINTENANCE REQUIRED. Lawns and gardens within non-agricultural areas in the City shall be maintained in accordance with this chapter. All yards and gardens shall be kept free of noxious weeds. All lawn grasses shall be kept mowed or trimmed so that they do not exceed six (6) inches in height from ground level to blade tip.

52.02 ABATEMENT. In the event a complaint is received or a violation of the standards set for above is otherwise brought to the attention of the Police Chief, the same shall be abated in the following manner:

1. The Police Chief or any member of the Police Department shall notify in writing the owner of the premises of the specific violation of the standards set forth above.

2. The owner shall have twenty-four (24) hours following the delivery of such notice to correct the violation of the standards set forth in that notice.
3. After twenty-four (24) hours or at any time thereafter, the City may order the necessary work done, including lawn mowing or other removal of items that are in violation of the standards set forth in this chapter. These actions may be taken by the City itself through City employees, or done by a third party at the order of the City. The costs of such action will be assessed to the property owner, and if left unpaid shall be certified as a special assessment upon the real property.
4. Beginning with the second time a party is provided notice to abate a lawn or weed nuisance, and continuing each subsequent time such notice is provided thereafter within a calendar year of the first such notice, a \$50.00 fee shall be assessed to the party for the costs of the notice, regardless of whether the party abates the nuisance within the twenty-four-hour time frame or not. Such fee shall be treated in the same manner as the costs of abating the nuisance.


SECTION 4. Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. 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 6. When effective. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passes and approved by the Council.

First reading:	<u>June 12, 2017 ;</u>
Second reading:	<u>Waived June 12, 2017;</u>
Third reading:	<u>Waived June 12, 2017;</u>



Dave Svoboda, Mayor

ATTEST:



Kim McAdoo, City Clerk