Sample Provisions for Use in drafting a new

Sec. 13-103 of the Lawrenceburg Code of Ordinance

**SAMPLE A**

**Weeds, leaves, grass and overgrowth.**

1. It shall be unlawful for the owner or occupant of property to fail to cut grass, weeds and other overgrown vegetation on property when the grass, weeds and other overgrown vegetation is of a greater height than one foot on the average, or to permit the property to serve as a breeding place for mosquitoes, as a refuge for rats and snakes, as a collecting place for trash and litter, or as a fire hazard, any one of which situation is declared to be a nuisance. It shall be the duty of the owner or occupant to cut and remove all grass, weeds and other overgrown vegetation as often as necessary so as to comply with this provision but in no event shall the owner fail to comply with this provision. Vacant lots adjacent to improved property shall be kept cut within 100 feet of such adjacent improved property. Lots which are densely wooded with trees, shrubs and overgrowth where equipment cannot maneuver because of such density, and lots where the terrain prohibits the use of mechanized equipment, are exempt from the requirements of this subsection.
2. It shall be unlawful for any person to place or allow to be placed or to permit to continue the accumulation of leaves from their premises to be on a public street, sidewalk, grass strip between a paved sidewalk and street, or on an area that pedestrians would be expected to use to walk upon parallel to a public street, or a median strip within a public right-of-way. This section shall not apply to the accumulation of leaves along a public right-of-way for the purpose of collection by the city.
3. It shall be unlawful for the owner or occupant of any property to allow bushes, shrubs, trees or other vegetation on such property to grow to such a height or density within 50 feet of a principal residential structure, as to endanger human health, safety or welfare, or as to encourage the infestation of rats or other harmful animals.
4. An unlawful condition as set forth in (a), (b), or (c) above shall be abated within three (3) days of notice when served in person or within seven (7) days of notice when served by U.S. Postal Service, first class or certified mail.

**SAMPLE B**

**Weeds and other vegetation**.

1. It is unlawful for any person or other entity owning, leasing, occupying or having control of property in the city, regardless of whether the property is vacant or contains any form of structure, to permit the growth upon the property of weeds, grass, brush and all other rank or noxious vegetation to a height greater than twelve (12) inches when the growth is within two hundred (200) feet of other improved and/or occupied property or is within two hundred (200) feet of the right of way of any street, thoroughfare, or highway within the city. (2) Excluded from these provisions are tracts of land of five (5) acres or larger in unplatted, undeveloped areas (i.e., not in a subdivision approved by the city planning commission, and the plat of which is recorded with the register of deeds, or in a subdivision developed prior to the creation of the planning commission, a plat of which is of record with the register of deeds) or tracts that are being used for current agricultural purposes. Property not exempt due to its size or the active practice of agriculture which is contiguous to parcel(s) of land that front on public streets or roadways, or contain any improvements shall be cleared of all weeds, tall grass and other noxious vegetation to within two hundred (200) feet of the property line of the developed property adjoining the subject tract and/or front property line adjoining the right of way of any street or roadway. Also excluded are natural wooded areas containing trees. As to these naturally wooded areas, the clearing requirements of this section extend only to the line of woods or trees adjoining developed (improved) property or public thoroughfares.
2. It is unlawful for any person or other entity to permit poison vines or plants injurious because of pollination or a menace to health, to grow in the city where they may cause injury or discomfort to any person, regardless of height, which plants are hereby declared to be a public nuisance. The failure to destroy poison vines or other such plants constitutes a violation of this section.
3. It is unlawful to plant, maintain, or allow any vegetation, shrubbery, hedge rows, etc., so near or upon public road rights of way as to obstruct the view of a person driving in the roadway or otherwise constitute a hazard to vehicular and/or pedestrian traffic. Failure of owners of property adjoining the rights of way or owners of property upon which the vegetation exists to trim or remove it is guilty of a violation of this section.
4. An unlawful condition as set forth in (a), (b), or (c) above shall be abated within three (3) days of notice when served in person or within seven (7) days of notice when served by U.S. Postal Service, first class or certified mail.