

CHAPTER 1741 Tall Grass & Weeds

1741.01 DEFINITIONS

“Weeds, tall grasses and vines” as used in this chapter shall be deemed to include, ragweed, goldenrod, burdock, yellow dock, dandelions, thistles, wild carrot, silk weed, iron weed, milkweed, jewel weed, all forms of grasses, poison ivy, poison oak, poison sumac, nightshade, and any and all other common weeds, flora, grasses and vines which exhibit offensive or noxious odors or from which there may be carried pollen, dust, down, seed, berries, or other plant particles.

1741.02 CUTTING TALL GRASS AND WEEDS REQUIRED.

- (a) No owner or occupant of any lot or parcel of land located within the corporate limits of the City shall fail to periodically cut and destroy all weeds, tall grasses and vines growing upon such lot or parcel of land. This section shall not apply to growing crops or cultivated plants or cultivated gardens or tended landscaping.
- (b) For the purpose of determining the frequency of cutting and destroying weeds, tall grasses, and vines as required herein, any weeds, and all grasses or vines growing upon any lot or parcel of land and extending to a height of ten inches (10") tall or more shall be deemed deleterious, unhealthful, noxious and a nuisance.
- (c) No person shall fail to comply with notice given herein to cut and destroy any weeds, grasses or deleterious, unhealthful growths, or other noxious matter within the lawful time specified herein. Furthermore, no person, whether an owner, lessee, agent, occupant or business entity, having charge of any lot of land within the City shall permit any plants, bushes, shrubs, trees or other vegetation including cultivated ornamental flowers, trees, bushes and plants to hang over or grow onto or along any curb, sidewalk, drive apron, street, lane or alleyway or other public ground within the City to create a hazard or obstruction to pedestrian or vehicular traffic.

1741.03 FAILURE TO CUT WEEDS, TALL GRASSES, AND VINES AFTER NOTICE; PAYMENT OF COSTS.

- (a) If any owner or occupant of a lot or parcel of land located within the corporate limits of the City of Alliance is notified in writing by the Safety-Service Director or his authorized representative to cut and destroy weeds, tall grasses and vines growing upon such premises, and if such person fails to cut and destroy such weeds, tall grasses and vines within five (5) days after mailing such notice, the City of Alliance shall cause such weeds, tall grasses and vines to be cut and destroyed. The owner and occupant of such premises shall be

jointly and severally indebted to the City of Alliance for all reasonable expenses thus incurred in the cutting and destroying of such weeds, tall grasses and vines.

- (b) A violation of Alliance Codified Ordinances 1741.02 is a nuisance per se; and if necessary to protect the health, safety and welfare of the general public, the City may enter said lot of land to abate the nuisance without issuing or posting notice. When feasible, the City shall make every effort to give notice prior to abating the nuisance.
- (c) The Safety-Service Director or his authorized representative may give notice to the owner or occupant of land in the following manners:
 - (1) If the owner or occupant of the lot or parcel is a resident of the Municipal Corporation, the Safety-Service Director or his authorized representative may deliver such notice by ordinary U.S. mail to said person's tax mailing address as maintained by Stark County Auditor's Office; or
 - (2) If the owner is a non-resident of the Municipal Corporation, and the tax mailing address maintained by the Stark County Auditor's Office can be determined by the City, notice shall be sent to the non-resident's address by Certified U.S. Mail, return receipt requested; or
 - (3) The City may issue a citation to the owner or occupant to cut or remove the grass, weeds and/or plants specified under Section 1741.01. The City may issue or post a warning notice to the owner or occupant prior to issuing a citation. Posted notices shall be in at least twelve-point type and prominently posted on or near the property; or
 - (4) Any other manner as permitted by law.
- (d) The Safety-Service Director or his authorized representative is authorized to give notice to any person owning or maintaining a lot or parcel of land in violation of Alliance Codified Ordinances Section [1741.02](#) in such a manner so as to cause the owner or occupant of said lot or parcel of land to be placed on notice that he or she is required to maintain compliance with Chapter [1741](#) of the Alliance Codified Ordinances for the entire calendar year.
- (e) Any property owner who violates section 1741.02 on two or more occasions in one year or on one occasion in two consecutive years shall be deemed a chronic violator and will receive written notice in March of each year that they have been deemed a chronic violator and shall comply with the provisions of chapter 1741 of the Alliance Codified Ordinances. The failure to comply with said provisions after written notification has been sent shall be cause for the City to abate without further notice and the cost shall be assessed as provided for in Section 1741.04. Violators are also subject to prosecution for violating 1741.02, the weeds or high grass conditions in violation of this chapter.

1741.04 FAILURE TO PAY REASONABLE COST; CERTIFICATION CHARGE.

- (a) When the City has affected the removal of such noxious growth or grass or has paid for its removal, the City shall maintain records establishing the reasonable costs and expenses incurred by such cutting and removal. Reasonable costs shall include, but not be limited to time of persons involved, administrative time involved, cost of fuel, cost of machinery, and the size, nature or character of the lot or parcel of land, as well as any and all other expenses for the performing of such labor and services provided.
- (b) In the event that the owner or occupant shall fail to pay the reasonable expense of cutting or removing weeds, tall grasses, and vines and the City certifies the expenses incurred to the Auditor of Stark County to place them on the tax duplicate for collection as a Special Assessment, an additional charge of Fifty Dollars (\$50.00) shall be assessed for the purpose of defraying the cost of certification.
- (c) The legislative authority of the City, may from time to time certify the reasonable expense and cost incurred to the Auditor of Stark county who shall place such expenses and costs upon the tax duplicate as a lien upon such lands from the date of entry which shall be collected as all other taxes and returned to the Municipal Corporation General Fund.

1741.99 PENALTY

Whoever violates Section [1741.02](#) shall be guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or upon which a violation continues or occurs.

NOTE: All prior provisions of Alliance Codified Ordinances Section 1741 which are not specifically amended herein are hereby repealed. This provision completely amends and replaces the prior version of 1741. (Ord. 17-14. Passed 3-4-14)