

ORDINANCE NO. 454-0

AN ORDINANCE AMENDING THE PUBLIC SAFETY CODE RELATING TO UNCONTROLLED OR UNCULTIVATED GROWTH OF WEEDS, BRUSH, BERRY VINES, AND GRASSES.

WHEREAS, pursuant to O.R.S. 271.120, a hearing was held on 10/8 & 10/22, at which time the Common Council made the following findings:

1. Certain difficulties have been encountered in the administration and control of nuisances, specifically uncontrolled or uncultivated growth of weeds, brush, berry vines, grasses and other nuisances as set forth in subsection 7.30.030, A., 7; and
2. There is a need to amend the ordinance to reduce cost of administration and provide an adequate and expedient control of nuisances; and
3. There has been opportunity for public review and comment; and
4. The adoption of Exhibit "A", attached) is in the public interest.

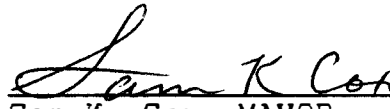
NOW, THEREFORE BE IT ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

The Public Safety Code be amended to include Subsection 7.40.045, as shown in the attached Exhibit "A", amend Subsection 7.40.050, and delete Subsection 7.30.035 A. 7.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 22 DAY OF OCTOBER, 1985.

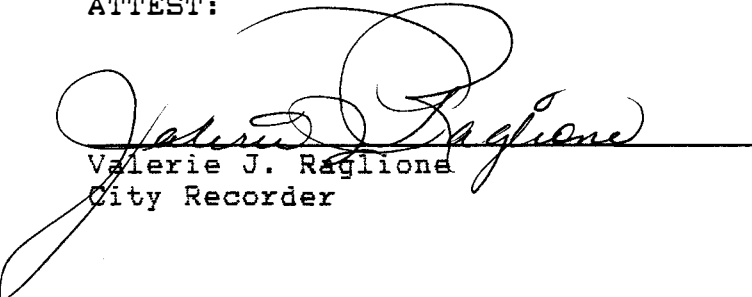
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Sam K. Cox, MAYOR

ATTEST:



Valerie J. Raglione
City Recorder

7.30.045 NUISANCES PROHIBITED - UNCONTROLLED OR UNCULTIVATED VEGETATION

A. It shall be unlawful for any person to maintain or allow to exist the following things, practices or conditions on any property or within public road rights of ways adjacent to that property, which shall be nuisances:

1. Uncontrolled or uncultivated growth of weeds, brush, berry vines, poison oak, poison ivy, tansy ragwort or grasses which offer vector or rodent harborage, contribute noxious pollens to the atmosphere, constitute a fire hazard or unreasonably interferes with the use and enjoyment of abutting public or private property.

a. The director shall publish, on or about April 15th of each year, a notice in a newspaper of general circulation declaring that all uncontrolled or uncultivated growth shall be abated by June 15th of each year.

b. If the owner and/or occupant fails to abate the nuisance, the director shall, by certified mail, notify the owner of record that if the nuisance is not abated within ten days, the director may cause abatement of the nuisance. This notice shall be considered valid whether or not the legal owner of record signs for receipt of certified mail. A correction notice shall be posted on any structures on the subject site.

c. The notice shall contain:

1. A description of the real property by street address or otherwise on which the nuisance exists.

2. A description or nature of the nuisance.

3. The action necessary to abate the nuisance.

4. The time within which the nuisance must be abated.

5. A statement that unless the nuisance is abated, the City may abate the nuisance and the cost of abatement shall be a lien against the property.

d. The procedure for cost of abatement and filing of lien shall be as specified in Section 7.30.065 of this ordinance.

7.30.050 Appeals and Hearings.

A. Any person receiving a notice under Subsection D, E or F of Section 7.30.040 OR SECTION 7.30.045 may request a hearing by writing the director within seven days of the date of the notice.

Date

City Ordinance No. 352 requires that uncultivated and uncontrolled growth of weeds, berry vines, brush, etc., be controlled.

Location: _____

Nature of Nuisance: _____

Type of Abatement Necessary: _____

If the nuisance is not abated by _____ the City will cut the grass and weeds and a lien for cost of abatement, at the prevailing contract rate, will be filed against your property.

If you have any questions or need more information regarding abatement, please call this office at your earliest convenience.

Sincerely,

CITY OF TROUTDALE

Building Division