

AN ORDINANCE REQUIRING THE OWNER AND )  
OCCUPANTS OF PROPERTY TO CUT ALL )  
WEEDS AND GRASS OVER TEN INCHES IN )  
HEIGHT; REPEALING ORDINANCE NO. 1631, )  
AND DECLARING AN EMERGENCY. )

ORDINANCE BILL NO. 37  
for 1980

ORDINANCE NO. 1803

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Publication of Notice. Between April 15th and May 15th of each year, the City Administrator or his designate shall cause to be published three times in a newspaper of general circulation in the City, a copy of sections 2 and 3 of this ordinance as a notice to all owners and persons in charge of property to keep their property free of tall vegetation.

Section 2. Duty to Cut Grass and Weeds. No owners, or persons in charge of property, possessing or having the care or custody of any lot or parcel of land in the City of Lebanon shall allow to remain thereon, or upon adjacent and abutting streets and alleys, any weeds or grass over ten (10) inches in height. Any such vegetation shall be cut as required by this ordinance.

Section 3. Abatement.

(1) Within ten (10) days after the third publication of this notice, or as soon thereafter as a violation of Section 2 occurs, the owner or person in charge of the property shall cause the weeds or grass in violation of Section 2 to be cut down.

(2) At the request of the owner or person in charge of property, the City Administrator or his designate will cause grass, weeds or other vegetation to be cut for a fee sufficient to cover the direct cost plus twenty percent (20%) for administrative overhead within a minimum fee of \$30.00.

(3) The City Administrator or his designate may cause to be cut any weeds, grass or other vegetation which is in violation of Section 2 at any time following the ten (10) day period allowed in subsection (1). The cost of such action, calculated as in subsection (2) above, will be charged to the owner or person in charge of the property, or to the property itself, becoming a lien against the property.

Section 4. Right to Enter. The person or persons charged with cutting of all grass and weeds for the City shall have the right, at reasonable times, to enter into or upon property to cut said vegetation.

Section 5. Cost to become a Lien. Upon completion of the clearing of any lot, lots or parcels of land under the provisions of Section 3 hereof, the City Administrator of the City of Lebanon shall file with the Finance Officer, and thereafter present to the City Council, an itemized statement of the costs thereof as specified in Section 3. The City Council shall fix a time and place for a public hearing on said matter, shall give notice thereof by not less than one publication in a newspaper of general circulation in the City of Lebanon, at least three (3) days prior to said hearing, give interested persons an opportunity to be heard in objection thereto, and thereafter shall by ordinance determine the reasonableness of said statement of costs or adjust the same and thereupon the amount of said statement as approved or adjusted by said City Council shall be and become an obligation owed to the City of Lebanon by the owner of said property, lot, lots or parcels of land involved, and said City of Lebanon shall have a lien upon said property for said sum and said lien shall be entered in the lien docket and enforced against said property in the same manner provided for the enforcement of liens for street improvements.

Section 6. Summary Abatement. The procedure provided by this ordinance is

not exclusive but is in addition to procedure provided by other ordinances, and the health officer, the Chief of the Fire Department, or the Chief of Police may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property.

Section 7. Penalty. Violation of this ordinance shall constitute a misdemeanor.

Section 8. Emergency Clause. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Section 9. Repeal. Ordinance No. 1631 is hereby repealed.

Passed by the Council by a vote of 5 for and 0 against and approved by the Mayor this 27<sup>th</sup> day of August, 1980.

Michael F. Wheaton  
Mayor

ATTEST:

Edwin B. Joz  
Recorder