

## ORDINANCE 325

### ESTABLISHING CHAPTER 21, MOWING OF PROPERTIES

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**21.01 PURPOSE.** The purpose of this chapter is to designate responsibility for the removal of weeds and cutting of grasses within the City limits of the City of Dysart, Iowa, in order to provide for the safety and preserve the health and welfare of the citizens located therein.

**21.02 AUTHORITY FOR ENFORCEMENT.** City of Dysart staff members or other persons as may be designated by the City Council are responsible for the enforcement of this chapter and shall have all the necessary authority to carry out the enforcement of this chapter.

**21.03 INTERFERENCE WITH ENFORCEMENT.** No persons shall interfere with the staff member while engaged in the enforcement of this chapter.

**21.04 PROVISIONS.** Except as provided elsewhere in this chapter, the following provisions shall apply:

Each owner and each person in possession or control of any property within the City limits of the City of Dysart, Iowa, shall be responsible to:

- i. Keep said property, along with parking adjacent thereto, alleys, public ways or areas up to the centerline of said ways free of any noxious weeds.
- ii. Keep grasses and weeds on said property mowed so that grass and weeds do not following height specifications:
  1. Developed residential areas; not to exceed six inches.
  2. Undeveloped residential areas; not to exceed eight inches.
  3. Business and industrial areas; not to exceed six inches.
  4. Agriculture areas; not to exceed 12 inches.

**21.05 NATURAL AREAS.**

1. Designation. The owner or person in possession or control of any property within the City limits of the City of Dysart, Iowa, may apply to have such land or portion thereof designated as a natural or conservation area. Prior to designating such area, the Dysart City Council shall consider the following factors: grade or

incline of said tract, the difficulty to control or maintain said tract, whether said tract is being maintained as either a soil erosion control area or a conservation area.

2. Natural or Conservation Area. Natural or conservation areas as designated by the Dysart City Council, need not be mowed and shall be left in their natural state, except that noxious weeds shall be removed or controlled.

3. Public Ways. Sidewalk or other public ways that lie adjacent to or extend through a natural or conservation area must be open and free from any obstructions to pedestrians or vehicular traffic.

#### **21.06 EXEMPT PROPERTY.**

1. Property within the City of Dysart and owned by the State of Iowa is exempt from the provisions of this chapter.

**21.07 PENALTY.** Any property which is found to be in violation of this chapter may be mowed by the City or their agent. All associated costs for such mowing, plus a surcharge of \$100.00, will be charged to the property owner. The minimum charge will be for one hour of work at a rate of \$75.00 per hour plus the surcharge of \$100.00. Any property owners who fail to mow their properties, thus allowing the same to be mowed by the City or their agents, and who do not provide payment for the mowing as required, will be assessed by the City for such costs, which will be collected in the same manner as general property taxes.

#### **21.08 METHOD OF SERVICE AND BILLING.**

1. If the City of Dysart finds a property is in violation of this chapter, one letter and copy of this chapter will be sent by regular mail to the property owner. This letter will require immediate and continued compliance with all regulations of this chapter.

2. Any billings for mowing done by the City or their agents are to be sent by regular mail and are payable within 30 days of billing date

**PASSED AND APPROVED** by the Council this 13<sup>th</sup> day of July, 2022.

Tim Glenn, Mayor

Attest:

Tabby Kaiser, CMC  
City Clerk