

CHAPTER 70. VEGETATION

ARTICLE II. Tall Grass, Brush or Noxious Vegetation*

*State law reference--Minnesota Noxious Weed Law, Minn. Stats. § 18.75 et seq.

Section 70-31. Unlawful vegetation.

It shall be unlawful for any property owner, lessee, or occupant having control of any property within the City to permit or maintain on any property, or on or along the sidewalk, street or alley adjacent to the property, between the property line and the curb or middle of the alley, any uncultivated, or uncontrolled growth of weeds, grass, brush or other vegetation, which is not part of an orderly landscape design, to a greater height than six inches or any accumulation of dead weeds, grass, or brush. It shall also be unlawful for any such person or persons to cause or allow noxious weeds as defined by the statutes of the State to exist on any property within the City limits. Vegetation declared unlawful by this section is a public nuisance.

Section 70-32. Duty of owner, lessee or occupant.

It shall be the duty of every owner, lessee or occupant of any property within the City to cut, destroy, remove, or eradicate all nuisance vegetation as often as may be necessary to comply with the provisions of Section 70-31 and whenever the weed inspector or his assistants notify such owner, lessee or other occupant of the nuisance.

Section 70-33. Permitting a nuisance.

- (a) *Notice.* When an owner, lessee, or occupant permits a nuisance to exist in violation of Sections 70-31 and 70-32, the Weed Inspector may serve, by certified mail or hand delivery, written notice upon the owner, lessee or occupant of such property ordering compliance within seven (7) days after the posting date of such notice. The notice also shall state that in the event of noncompliance the Weed Inspector may order the work to be done by the Inspector or his/her assistants at the property owner's expense and further that the person has the right to appeal the order as provided in subsection (c) of this section.
- (b) *Noncompliance with notice.* If such person fails to comply with the notice, the Weed Inspector or his/her assistants shall take such action as is necessary to abate the nuisance. All costs, including administration, inspections, and work whether contractual or other, may be recovered by the City Council, at its direction, either by billing the person directly or by extending the cost of such work as a special assessment against the property which assessment shall be certified to the County Auditor for collection as other special taxes.
- (c) *Appeal.* Any person aggrieved by an order of the Weed Inspector or his/her assistants, may appeal that order to the City Council by filing a written request with the Weed Inspector within five (5) days of service of the notice provided in this section. The Weed Inspector shall within five (5) days cause the appeal to be placed on the next regular City Council agenda and shall notify the appellant of the date, time, and place of such meeting. The City Council shall have authority to affirm, amend, or reject the order of the Weed Inspector or his/her assistants.

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Section 70-34. Obstructing City employees.

No person shall obstruct the Weed Inspector, or his/her assistants, in the cutting, removal, or eradication of weeds or grass.

Secs. 70-35--70-60. Reserved.