

**CITY OF MEDICINE LAKE
ORDINANCE NO. 115**

AN ORDINANCE AMENDING ORDINANCE NO. 24

“NUISANCES”

The City Council of the City of Medicine Lake ordains as follows:

The following section of Ordinance 24 is hereby amended to read as follows:

Section 02. Public Nuisance Affecting Health

The following are hereby declared to be nuisances affecting health:

9. All noxious weeds, as that term is defined by Minnesota Statute §18.77 and the Minnesota Department of Agriculture’s Prohibited Noxious Weed List, or any weeds or non-ornamental grass which are twelve (12) inches or more in height upon public or private property;

The following language is hereby appended to Ordinance 24, constituting a wholly new section:

Section 09. Noxious Weed Abatement

A person in violation of Section 02-9 regarding noxious weeds and other excessive growth of weeds or grasses will be deemed to have created a public health hazard, which is subject to abatement by the property owner, or if un-remedied, by the city or its contractors.

1. Upon notification by the city, by mail and/or personal delivery, the property owner will have twenty-one (21) days to cut down offending weeds or grasses to a height no greater than 4 inches; or in the case of prohibited noxious weeds (as defined by Minn. Stats. §18.77), to treat with herbicides or otherwise remove all areas of infestation consistent with eradication methods recommended by the Minnesota Department of Agriculture for the removal and disposal of noxious weeds.
2. If the owner or occupant fails to abate the areas in question within twenty-one days of notification, the city by and through its authorized personnel, may enter upon such property and abate the nuisance, including contracting with a private entity to do so. Any expenses incurred by the city in the process of abatement, including administrative fees, shall be the responsibility of the property owner to be paid within thirty (30) days after completion of abatement work. If unpaid after thirty (30) days, abatement costs may be assessed against the property as provided by Minn. Stats. §429.101.
3. Passed by the City Council of the City of Medicine Lake on this 3rd day of August, 2015.

Gary Holter, Mayor

ATTEST: Nancy Pauly, City Clerk