

ORDINANCE NO. _____

**CITY OF FARMINGTON
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 7,
OF THE FARMINGTON CITY CODES**

THE CITY COUNCIL OF THE CITY OF FARMINGTON ORDAINS:

SECTION 1. Title 6 – Police Regulations, Chapter 7 – Weeds, is hereby amended as follows:

**Chapter 7
WEEDS**

6-7-1: WEED DEFINED:

For the purpose of this section, the term "weeds" means noxious weeds as defined by state law. All weeds or growing grasses upon any platted lot in the city which are in excess of one foot (1'), or have gone or about to go to seed, are hereby declared to be a nuisance and dangerous to the health, safety and order of the city, with the following exceptions:

- (A) Slope Areas: Slopes that are steeper than three to one (3:1) may be left in natural state.
- (B) Ponds/Wetlands: Property adjacent to ponds may be left in a natural state. Property owners will not be allowed to mow city property, including that property surrounding ponds.
- (C) Natural/Wildlife Areas: Natural areas which include parks, wetlands/ponds, unplatted land and other city designated areas may be left in a natural state.
- (D) Natural Areas On Platted Lots: Natural areas will be allowed on platted lots in backyards from the most rear corner of the home subject to a six foot (6') setback from the property lines, except in the case where the natural area is adjacent to another natural area or fence. A natural area contains "native grasses" meaning those species of perennial grasses other than those designated as noxious weeds by the Minnesota department of agriculture in 1505.0730 and 1505.0740.
- (E) Undeveloped Platted Lots: Any platted lot within the city that is undeveloped and does not share a common property line with any developed lot(s) which contains a principal structure may be left in a natural state.

Noxious weeds must be removed regardless of where they exist. It shall be unlawful for an owner, lessee or occupant of any land described above to allow, permit or maintain a "nuisance" as defined herein on any such land or along the sidewalk, street or alley adjacent thereto. (Ord. 009-608, 8-17-2009)

6-7-2: NOTICE TO DESTROY:

The city administrator is hereby authorized and empowered to notify, in writing, the owner of any such lot, place or area within the city, or the agent of such owner, to cut, destroy and/or remove any such weeds or grass found growing, lying, or located on such owner's property or upon the sidewalk or boulevard abutting same in violation of this ordinance or state law. Such notice shall be sent by mail, addressed to said owner as shown on county property tax records, at his/her last known address and posted on the property. (Ord. 015-698, 6-15-2015)

6-7-3: ACTION UPON NONCOMPLIANCE:

Upon the failure, neglect or refusal of any owner or agent, so notified, to cut, destroy and/or remove such weeds or grass within ten (10) days after mailing or serving and posting the written notice provided for in section 6-7-2 of this chapter, the city administrator is hereby authorized and empowered to pay for the cutting, destroying and/or removal of such weeds or grass or to order the removal by the city. (Ord. 015-698, 6-15-2015)

6-7-4: CHARGE A LIEN:

When the city has effected the removal of such obnoxious growth or has paid for its removal, the actual cost thereof, plus accrued interest as provided by law, and penalty as set forth from time to time by resolution of the city council, if not paid by such owner prior thereto, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the city, and said charge shall be due and payable by said owner at the time of payment of such tax bill, pursuant to the provisions of MSA 429. (Ord. 009-608, 8-17-2009)

SECTION 2. Effective Date. This ordinance shall be effective upon its passage and publication according to law.

ADOPTED this 19th day of September 2016, by the City Council of the City of Farmington, Minnesota.