

ORDINANCE NO. 431

AN ORDINANCE PROVIDING FOR THE CONTROL OF UNHEALTHFUL OR NOXIOUS GROWTH AND OTHER MATTER ON PROPERTY.

SECTION 1. UNHEALTHFUL OR NOXIOUS GROWTH AND OTHER MATTER ON PROPERTY--  
PROHIBITED.

No owner of any lot, place, or area within the city, or the agent of such owner, shall permit such lot, place or area, or upon any sidewalk abutting the same, any weeds, grass, or deleterious, unhealthful growths, or other noxious matter that may be growing, lying or located thereon.

SECTION 2. SAME -- NOTICE TO REMOVE.

The sanitarian, or any police officer, 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, grass, deleterious, unhealthful growths, or other noxious matter found growing, lying, or located on such owner's property, or upon the sidewalk abutting same. Such notice shall be by registered mail, addressed to said owner or agent of said owner, at his last known address.

SECTION 3. SAME--REMOVAL BY CITY AUTHORIZED IF OWNER FAILS.

Upon the failure, neglect, or refusal of any owner or agent so notified to cut, destroy, and/or remove weeds, grass, or deleterious, unhealthful growths, or other noxious matter, growing, lying or located upon such owner's property, or upon the sidewalk abutting same, within ten (10) days after receipt of the written notice provided for in section 2 or within twenty (20) days after the date of such notice in the event the same is returned to the City because of the inability of the post office department to make a delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the sanitarian or any police officer is hereby authorized and empowered to order the removal by the city street department employees.

SECTION 4. SAME--COLLECTION FROM OWNER OF COST OF REMOVAL

When the city, through its employees and equipment, has effected the removal of such obnoxious growth, or has paid for its removal, the actual cost thereof, plus accrued interest at the rate of seven per cent (7%) per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to the owner on such property on the next regular tax bill forwarded to such owner at the time of payment of such tax bill.

SECTION 5. SAME -- LIEN FOR COST OF REMOVAL, PENALTY FOR DELIQUENCY

Where the full amount due the city is not paid by such owner within thirty (30) days after the cutting, destroying, and/or removal of such weeds, grass, or deleterious, unhealthful growths, or other noxious matter, as set forth in section 3 and 4 above, then, and in that case, the city clerk shall cause to be recorded in the office of the Clerk of Pulaski County Court, a sworn statement showing the cost and expense incurred for the work and the date, place, or property on which said work was done, and the recordation of such sworn statement shall constitute a lien upon the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made; said costs and expenses shall be collected in the manner fixed by law for the collection of taxes, and further shall be subject to a delinquent penalty of twenty-five per cent (25%) in the event same is not paid in full on or before the date the tax bill upon which said charge appears becomes delinquent; sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a lien against the property designated or described in the statement, and that the same is due and collectible as provided by law.

SECTION 6.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7.

This ordinance shall be in full force and effect upon its passage, approval and publication, according to law.

1st 6-11-71 and 6-14-71