

ORDINANCE NO. 09-20

AN ORDINANCE RESTRICTING OVER GROWTH OF WEEDS, GRASS, NOXIOUS PLANTS, AND/OR VERMIN HARBORAGE IN THE CITY OF WEST LAFAYETTE, COUNTY OF TIPPECANOE, INDIANA

WHEREAS, the City of West Lafayette, County of Tippecanoe, Indiana (the "City") is committed to environmental conscientiousness, public safety, health, and welfare, maintaining community appearance standards, and maintaining overall property values.

WHEREAS, landscaped areas that are unmaintained create nuisance and a blight, attract vermin and insects, and generally diminish property values across the community.

WHEREAS, the City finds that it is in the public interest to regulate over growth of weed, grass, and/or noxious plants within the City;

WHEREAS, the City has traditionally regulated over growth of weed, grass, and/or noxious plants within the City via the former BOCA Code Ordinance, however, when the Code was updated to Municode said BOCA Code ordinance was unintentionally omitted.

WHEREAS, the Common Council of the City adopts the following ordinance regulating over growth of weed, grass, and/or noxious plants within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that:

This ordinance shall be in effect from and after its passage by the Common Council of the City of West Lafayette and execution by the Mayor and due publication. A copy of this ordinance shall be sent to Municode; they are directed to add to the existing West Lafayette Code maintained on their server.

The following sections are added to the West Lafayette City Code, **Chapter 26** effective upon due passage:

Sec. 26-3. - Excessive growth.

It is unlawful for the owner of any lot or tract of ground within the City to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of ten (10) inches or to such extent that the growth is detrimental to the public health and constitutes a nuisance.

Sec. 26-4. - Vermin Harborage

No person shall possess, occupy, or maintain, or cause or permit another person to occupy or maintain, any building, structure, vehicle, or other place in such a

condition as will permit the breeding or harboring therein or thereon of rodents or other vermin.

All exterior property areas and premises shall be maintained in a clean, safe and sanitary condition, free from any accumulation of rubbish or garbage exterior premise, including open porches, shall be kept free of any type of upholstered furniture and/or furniture made from any cloth material that will degrade due to the elements, including any and all furniture constructed or intended for indoor use. The occupant(s) and/or owner(s) are responsible for maintaining the property that they own or lease in the condition prescribed in this chapter.

Sec. 26-5. - Inspections.

It shall be the duty of the police department and/or the neighborhood resource team to make a careful inspection of any lots, grounds, and tracts of land situated within the corporate limits of the city for the purpose of determining whether there is a violation of this chapter.

Sec. 26-6. - Enforcement procedures.

Schedule of Fines. The initial penalty or fine for all violations of this chapter shall be fifty dollars (\$50.00). A second violation of this chapter in any twelve-month period shall be subject to a penalty or fine of one hundred dollars \$(100.00). All subsequent violations of this chapter, in any twelve-month period, shall be subject to a penalty or fine of two hundred dollars (\$200.00). A separate fine may be assessed for every 24 hour period that a property is in violation of this chapter.

Sec. 26-7. - Cost of removal by city.

If the property owner fails to remedy a violation under this chapter, the Controller shall make a certified statement of the actual cost incurred by the city for any abatement conducted by the city or its private third-party contractor. The statement shall be served on the property owner by certified mail, return receipt requested. The property owner shall pay the amount in the statement to the city within ten days after receiving it. If the violation is not paid within 10 days a lien, including additional costs, may be filed.

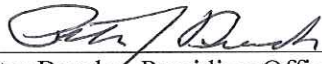
INTRODUCED ON FIRST READING ON THE 6 DAY OF July, 2020.

MOTION TO ADOPT MADE BY COUNCILOR De Boer, AND SECONDED BY COUNCILOR Thomas.

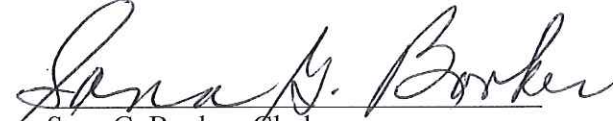
DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 3 DAY OF

August, 2020, HAVING BEEN PASSED BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco	✓			
Bunder	✓			
DeBoer	✓			
Kang	✓			
Leverenz	✓			
Parker	✓			
Sanders	✓			
Thomas	✓			
Wang	✓			



Peter Bunder, Presiding Officer

Attest:

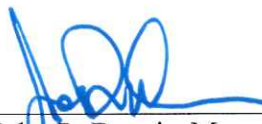

Sana G. Booker, Clerk



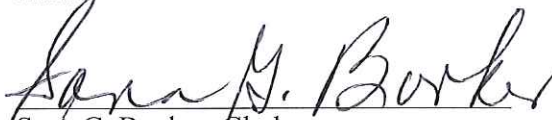
PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 4 DAY OF August, 2020.


Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 4 DAY OF August, 2020.


John R. Dennis, Mayor

Attest:


Sana G. Booker, Clerk

