

ORDINANCE 1991 - W-2

8/26/1991
Signed

AN ORDINANCE REGARDING
REMOVAL OF WEEDS AND RANK VEGETATION

WHEREAS, the General Assembly has provided the method by which a municipality may control weeds and other rank vegetation, and

WHEREAS, the Town of Corydon wishes to implement the weed and vegetation control provisions of Ind. Code 36-7-10.1.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CORYDON:

Section 1. All owners of real property within the corporate limits of the Town of Corydon shall cut and remove all weeds and/or rank vegetation growing upon their property.

Section 2. "Weeds" and/or "rank vegetation" is defined to be any vegetable matter commonly recognized as weeds in the State of Indiana, not cultivated in plant beds by the landowner, which exceeds the height of eighteen (18) inches. Such definition shall not include trees, bushes or shrubs which are being cultivated by the landowner.

Section 3. Upon formal complaint by anyone residing in the Town of Corydon at a regular meeting of the Town Council and determination by the Town Council that weeds and/or rank vegetation exist as defined in this Ordinance, the Clerk-Treasurer shall issue a written notice to the property owner that the weeds and/or rank vegetation must be removed within fifteen (15) days of service of the notice. Such notice shall advise the landowner of the penalty of failing to remove such vegetation and his right to appeal the notice of violation to the Corydon Town Council.

Section 4. An appeal of the notice of violation shall be taken to the Corydon Town Council by the filing of a written notice of appeal by the landowner with the Clerk-Treasurer within five (5) days after service of the notice of violation.

Section 5. If the landowner is a resident of Corydon, the notice required by this Ordinance shall be served upon the landowner by the office of the Town Marshal, a copy of which notice shall be returned to the Clerk-Treasurer with notation as to the date service was accomplished and the name of the officer serving the notice. If the landowner is a non-resident of Corydon, such notice shall be mailed certified mail addressed to the last known address of the owner and proof of mailing shall be deemed sufficient service.

Section 6. If the landowner fails to remove the weeds and/or rank vegetation within the time prescribed in the notice, or, if an appeal is taken and the appeal results in a determination against the landowner, then within five (5) days after such determination, the Town may remove, or cause to be removed, such vegetation.

Section 7. In the event that the Town removes, or causes to be removed, such vegetation, the Clerk-Treasurer shall make a certified statement of the actual cost incurred by the Town in the removal, including costs of mailing and notice. The statement shall be served upon the landowner in the same manner as the service of notice detailed in this Ordinance.

Section 8. In the event that a certified statement is served upon the landowner as prescribed above, the landowner shall have ten (10) days from service of such statement to pay the same to the Clerk-Treasurer. If the landowner fails to pay the same, the Clerk-Treasurer shall file a certified statement of the actual cost incurred for the removal and notice, including

costs of mailing, filing and releasing, with the Auditor of Harrison County for inclusion on the tax duplicate against the property affected by the work, and the total amounts, including any accrued interest, shall be collected as delinquent taxes are collected and shall be disbursed to the general fund of the Town of Corydon.

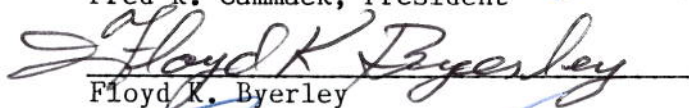
Section 9. All Ordinances on the subject of this Ordinance which are in conflict herewith are, to the extent of such conflict, hereby repealed.

ADOPTED this 26TH day of AUG, 1991.

CORYDON TOWN COUNCIL:



Fred K. Cammack, President



Floyd K. Byerley



Roy A. McKim

Rebecca A. Campbell



Ardis J. Conrad