

REGULATION OF LAWN GRASSES ORDINANCE

Section I. Title/Purpose. This Ordinance is entitled “Length of Lawn Grasses Ordinance.” The purpose of this ordinance is as follows:

To promote the safety, health and general welfare by regulating the length of lawn grasses in the Town of Shelby.

Section II. Adoption of Ordinance. The Town Board of the Town of Shelby hereby adopts the following:

- A. The Town Board of the Town of Shelby finds that lawns, grasses, and noxious weeds on lots or residential parcels which exceed either (8) inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard, and a safety hazard in that debris can be hidden in the grass, interferes with the public convenience, and adversely affects property values of other land within the Town of Shelby.
- B. Any lawn, grass, or weed on a lot or other residential parcel of land, which exceeds either (8) inches in length, is hereby declared to be a public nuisance. This 8” limit does not include prairie grass, wildflowers, ornamental grass, or other planting designed to have a length greater than 8”. Also does not include rear yards located further than 100 feet from any public road.

Section III. Enforcement and Penalties. If the Town determines that a violation of this resolution exists, it shall be posted on the lot and send a written notice to the property owner informing said owner that if the nuisance is not abated within five (5) days, the Town will have the cost of said cutting will be billed to the property owner. In the event it is not paid within thirty (30) days, the Town Clerk shall enter the charges into the tax roll as a special assessment against the said parcel. If the owner believes that he/she has not created a nuisance, they may appeal the Town Board, which shall then hold a hearing. Any appeal must be in writing and filed with the Town Clerk within five (5) days of the date of notification from the Town.

Section IV. Severability. The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the provisions of this Ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of

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the Ordinance and the application of such provisions to other persons or circumstances shall not be affected.

Section V. Effective Date. This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 22, 2010

Lynnetta P. Kopp, Town Chair

Randall R. Knapp, Town Supervisor

John O. Zahn, Town Supervisor

ATTEST:

Catherine Brott, Town Clerk