

# TITLE III COMMUNITY PROTECTION

## CHAPTER 14 MOWING OF PROPERTIES

3-14-1 Purpose  
3-14-2 Exemptions  
3-14-3 Definitions  
3-14-4 Cutting Specifications and Standard Practice  
3-14-5 Maintenance of Parking and Private Property  
3-14-6 Authority for Enforcement

3-14-7 Interference with Code Official  
3-14-8 Enforcement Notice of Violation; Administrative Fees  
3-14-9 Habitual Violators  
3-14-10 Publication of Notice  
3-14-11 Failure to Comply

### **3-14-1 PURPOSE**

The purpose of this Chapter is to beautify and preserve the appearance of the City by requiring property owners and occupants to maintain lawns at a uniform height within the boundaries of their property and on abutting street right-of-way in order to prevent unsightly, offensive or nuisance conditions.

### **3-14-2 EXEMPTIONS**

The Council reserves the right to declare any particular area exempt from this chapter if it involves conservation or other natural grass, flower, or wildlife area, such exemption to be approved by the Council by motion and filed in writing with the Clerk.

### **3-14-3 DEFINITIONS**

For the purpose of this Chapter, the following terms are defined as follows:

1. Mechanically maintain the growth of grass, weeds, or brush at a uniform height.
2. **Developed area:** Any area within the city upon which there exists an open lot or a lot with one or more houses, businesses or industrial plants, except for any area designated as an agricultural district.
3. **Farmland:** An area of land suitable for the production of farm products, those being plants or the by-products thereof which supply people with food, feed, fiber, which is entirely, actively, and currently being used to produce such products. Farmland includes land enrolled in the USDA Conservation Reserve Program.
4. **Forest cover:** Land, which is predominantly wooded.
5. **Hazard:** Any weed, grasses or other herbaceous vegetation which interferes with any sidewalk or the traveled portion of any roadway or alley or with visibility at any intersection, or traffic control light or site or constitutes a reasonable health, safety or fire hazard or otherwise endangers life or property.
6. **Parking:** The property between a property owner's lot or property line and the curb, or the traveled portion of the public street, or the centerline of the public right of way depending on the absence of a curb or traveled portion.
7. **Property Owner:** Contract purchaser, if there is one of record, otherwise the record holder of legal title.
8. **Official:** Any code enforcement official of the City or other person designated by the City Council

hereby given the authority to enforce the provisions of this chapter.

9. **Vegetation:** grass, weeds, all vines, brush, bushes, non-purposefully (volunteer) planted trees less than 3 inches in diameter, noxious weeds and all other growth, which constitute a health, safety or fire hazard.

### **3-14-4 CUTTING SPECIFICATIONS AND STANDARDS OF PRACTICE**

1. Every owner shall cut, mow and maintain all grass, weeds and brush upon the owner's property and adjacent to the curb line or outer boundary of any street, which includes the parking area abutting the owner's property, to a uniform height as defined Section 3-14-5.
2. Every owner shall cut, mow and maintain all grass, weeds and brush adjacent to the curb line, including the parking area abutting the owner's property, in such a manner so as to be in conformity with and at an even height with all other grass, weeds, or brush growing on the remainder of the owner's property.

### **3-14-5 MAINTENANCE OF PARKING AND PRIVATE PROPERTY**

**All Property Owners shall maintain their property and the abutting parking according to the following standards:**

1. In developed areas and other areas, which lie within one hundred feet of a developed area or urban street, except for those regulated in other provisions of this ordinance, all vegetation **shall be cut or destroyed by the property owners or occupants in possession or control of lands** when such growth exceeds six inches (6") in height.
2. Each owner and each person in possession or control of any property in a developed area shall be responsible to keep said lot, along with parking adjacent thereto, alleys, public ways or areas up to the center line of said ways free of any vegetation and to keep vegetation on said lot mowed so that all vegetation is less than six inches in height. However, vegetation located on undeveloped and unplotted property located more than one hundred feet from developed or platted property and not classified as Farmland, Forest Cover or Natural Areas shall be mowed so that grass and weeds are less than eighteen inches in height.
3. Natural areas, farmland, forest cover and publicly owned open spaces may exceed the standards established by this chapter provided that such growth does not constitute a health, safety or fire hazard.
4. If because of the terrain or rough surface of the property, such vegetation cannot be destroyed by the usual and ordinary methods because of the terrain or rough surface of the property, then the official may direct the grading or otherwise leveling of said property, such that a proper destruction of said vegetation can be accomplished. These costs to grade or otherwise level said property will be billed or assessed as provided in this chapter.
5. If because of the terrain or rough surface of the property, such vegetation, the Official determines that the described vegetation cannot be cut or destroyed because such property is inaccessible or unsafe to cut by conventional means, the Official may grant a variance or may permit the control of such vegetation by chemical spray.
6. If a variance is requested and denied by the Official, the aggrieved property owner may request a hearing before the city council.
7. In the event the city destroys such vegetation, any loss or damage to crops growing on the property, or other damage caused to the property shall be borne by the owners or occupants of said property and not by the City of Keota or its employees or agents.

### **3-14-6 AUTHORITY FOR ENFORCEMENT**

The Code Officer or other person designated by the City Council is responsible for the enforcement of this chapter and shall have all the necessary authority to carry out the enforcement of this chapter.

### **3-14-7 INTERFERENCE WITH CODE OFFICIAL**

No person shall interfere with the Code Officer or any appointed assistant or contractor hired by the City of Keota while engaged in the enforcement of this chapter.

### **3-14-8 ENFORCEMENT; NOTICE OF VIOLATION; ADMINISTRATIVE FEE**

1. It shall be the duty of the Code Officer to inspect all areas if the city is in receipt of a complaint and in the case of a legitimate complaint to notify the last known owner or person in possession (or control) of the area of violation of this chapter. Said notice shall be given by **posting notice on the property in a conspicuous place and by mailing the notice to the address of the property and the address for mailing of the property tax as shown by the records in the office of the county auditor if the address of the property tax is different from the address of the property. Return receipt with signature is not required for said notice.** Upon failure of the owner or person in possession or control to act within the prescribed four-day time period, the City may proceed to have the property mowed or cut to the legal height. The foregoing remedy is not exclusive, and the city may pursue any other remedy permitted by law including the filing of misdemeanor charges against such individuals.
2. Such notice shall include the following:
  - a. That the property owner or occupant in possession or control of the land is in violation of the city mowing ordinance;
  - b. That the property owner or occupant in possession or control of the land is ordered to cut all grass, weeds, all vines, brush, bushes, non-purposefully (volunteer) planted trees less than 3 inches in diameter and noxious weeds and all other growth, which constitute a health, safety or fire hazard within 4 days of the date of the letter to a height of 6 inches or less;
  - c. That if the property owner or occupant in possession or control of the land does not cut the grass, weeds, all vines, brush, bushes, non-purposefully (volunteer) planted trees less than 3 inches in diameter and noxious weeds and all other growth, which constitute a health, safety or fire hazard, that the city or its authorized agent without any additional notice, will cut the vegetation and assess the cost of the cutting, including a reasonable administrative fee, against the owner or occupant in possession or control of the land;
  - d. That the property owner or occupant in possession or control of the land will be given 30 days to pay the assessment, but if it is not paid, it will be assessed against the property for collection in the same manner as property tax in the fall.
  - e. That the property owner or occupant in possession or control of the land may request a hearing before the Keota City Council or its designated representative within 4 days of the receipt of notice.
3. Upon completion of the abatement, the code officer or the duly designated city official shall certify the contracted cost and expenses as provided by law against the property to be paid as required by law and bill the costs plus an administrative fee set by the City Council to cover the costs for inspection, notice preparation/ mailing, tracking, billing and any required services to execute the abatement thereof to the property owner or occupant in possession or control of lands. On invoices not paid within 30 days, there will be an additional fee for assessment against the property.
4. This fee schedule shall be reviewed annually to ensure all costs are recovered. If adjustments are required, the City Council may establish a new fee schedule by resolution.
5. The code officer, or designee, or any authorized assistant, employee, contracting agents, or other representatives, are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying, and/or removing such vegetation in a manner not inconsistent with terms of this chapter.

**3-14-9 HABITUAL VIOLATORS**

If the owner or person in control of any land has previously received an enforcement notice relating to the required cutting of vegetation within the preceding two week, then the subsequent notice to cut vegetation may include a notice that such owner or person in control of said property will be considered to be an habitual violator of this chapter; and that if the required mowing is not completed within the allowed time, the City will consider the property to be subject to having a contract let by the City for mowing property as needed up to a weekly basis for the remainder of the current calendar year, and that the full cost of said contract, together with an administrative fee as set by resolution of the City Council will be assessed against the property.

**3-14-10 PUBLICATION OF NOTICE**

Annual spring publication of this ordinance in an official newspaper shall serve as notice to property owners. The City of Keota will be authorized to respond to violations without additional written notice being given. The Code Enforcement Department will only provide notification of the same violation once per calendar year.

**3-14-11 FAILURE TO COMPLY**

If the property owner fails to comply with this chapter, the Mayor or Code Enforcement Officer will order the property to be mowed. The City of Keota will then apply a charge as listed in the City’s Resolution Establishing Fees for Equipment Usage and Labor. These fees, if not paid within thirty (30) Days, will be assessed by the City for such costs and will be collected in the same manner as general property taxes.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect upon publication from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED BY** the Keota City Council on this \_\_\_ day of \_\_\_\_ 2025.

\_\_\_\_\_  
Anthony Cansler, Mayor, City of Keota

ATTEST: \_\_\_\_\_  
Hunter Bruns, City Clerk

**First Reading: October 21, 2025** Mayor: \_\_\_\_\_ City Clerk: \_\_\_\_\_

**Second Reading: November 3, 2025** Mayor: \_\_\_\_\_ City Clerk: \_\_\_\_\_

**Third Reading: November 17, 2025** Mayor: \_\_\_\_\_ City Clerk: \_\_\_\_\_

**Publication Date: November 26, 2025** Mayor: \_\_\_\_\_ City Clerk: \_\_\_\_\_

**Effective Date: December 1, 2025** Mayor: \_\_\_\_\_ City Clerk: \_\_\_\_\_