

CITY OF COMO
ORDINANCE
2017-15

AN ORDINANCE PROVIDING NOTICE TO OWNERS AND/OR AGENTS OF REAL PROPERTY ON WHICH WEEDS OR GRASS HAVE BEEN ALLOWED TO GROW TO A GREATER HEIGHT THAN TWELVE {12} INCHES OR ALLOWING RUBBISH OR TRASH TO ACCUMULATE . IN THE EVENT THAT THE SAID OWNER FAILS TO OR REFUSES TO CUT SUCH WEEDS OR GRASS AND/ OR REMOVE RUBBISH AND TRASH THE CITY WILL UPON REQUEST OR WITH PROPER AUTHORIZATION WILL CUT AND REMOVE SAID WEEDS AND /OR RUBBISH AND TRASH THROUGH CITY WORK FORCES, OR THE USE OF AN AUTHORIZED INDEPENDENT CONTRACTOR FOR A CHARGE THAT WILL BE BILLED AND COLLECTED BY THE CITY SECRETARY TO THE SAID PROPERTY OWNER OR AGENT; PROVIDING THAT IF SAID PROPERTY OWNER FAILS TO PAY A LIEN MAY BE PLACED ON THE SAID PROPERTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMO, TEXAS.

SECTION 1: HIGH GRASS AND WEEDS

IT SHALL BE UNLAWFUL FOR ANY PERSON OWNING, CLAIMING, OCCUPYING OR HAVING SUPERVISION OR CONTROL OF ANY REAL PROPERTY, OCCUPIED OR UNOCCUPIED, WITHIN THE CORPORATE LIMITS OF THE CITY TO ALLOW WEEDS OR GRASS TO GROW TO A HEIGHT ABOVE TWELVE {12} INCHES.

ANY PREMISES UPON WHICH WEEDS, BRUSH OR GRASS ARE PERMITTED TO GROW OR ACCUMULATE TO A HEIGHT GREATER THAN TWELVE (12) INCHES ARE DEEMED TO CONSTITUTE A NUISANCE AS A FIRE HAZARD AND AS A DANGER TO PUBLIC HEALTH, SAFETY, AND WELFARE.

SECTION 2: NOTICE TO OWNER, OCCUPANT TO ABATE NUISANCE; FAILURE TO COMPLY CONSTITUTES EVIDENCE OF VIOLATION

IT SHALL BE THE DUTY OF THE CITY SECRETARY OR OTHER AUTHORIZED OFFICER OR AGENT OF THE CITY TO NOTIFY THE OWNER OR PERSON IN CONTROL OF ANY PREMISES WITHIN THE CITY ON WHICH TRASH, RUBBISH, DISCARDED FURNITURE, HOUSEHOLD APPLIANCES OR OBJECTIONABLE UNSIGHTLY AND UNSANITARY MATTER HAS ACCUMULATED OR UPON WHICH WEEDS, BRUSH, AND OR GRASS HAVE GROWN TO A HEIGHT GREATER THAN TWELVE (12) INCHES, TO ABATE SUCH NUISANCE WITHIN TEN (10) DAYS OF SUCH NOTICE.

THE NOTICE SHALL BE IN WRITING AND MAY BE SERVED ON THE OWNER OR PERSON IN CONTROL OF THE PREMISES BY DELIVERY IN PERSON AND/OR POSTED ON THE PREMISES, BY U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED, ADDRESSED TO SUCH OWNER OR PERSON IN CONTROL AT HIS POST OFFICE ADDRESS, OR IN THE EVENT THAT THE OWNER OR PERSON IN CONTROL CANNOT BE FOUND AND THE CERTIFIED LETTER IS RETURNED BY THE U.S. POSTAL SERVICE, THE NOTICE SHALL BE BY PUBLICATION TWO (2) TIMES IN TEN (10) CONSECUTIVE DAYS.

SECTION 3: PERFORMANCE OF WORK BY THE CITY UPON OWNER'S, OCCUPANT'S FAILURE TO COMPLY WITH THE NOTICE; COLLECTION OF COSTS

IN THE EVENT THAT THE CITY SECRETARY OR OTHER AUTHORIZED OFFICER OR AGENT

THE CITY CHARGED WITH THE ABATEMENT OF THE NUISANCES DESCRIBED HERE WITHIN, SHALL DEEM IT NECESSARY, IN THE PRESERVATION OF THE PUBLIC HEALTH SAFETY AND WELFARE, AND THAT THE TRASH RUBBISH DISCARDED FURNITURE, HOUSEHOLD APPLIANCES OR OBJECTIONABLE UNSIGHTLY AND UNSANITARY MATTER BE REMOVED FROM THE PREMISES WHICH THE OWNER OR PERSON IN CONTROL THEREOF HAS BEEN NOTIFIED AS DESCRIBED IN SECTION TWO (2) SUBSECTION (B) OR THE WEEDS, BRUSH, OR GRASS CUT AND REMOVED FROM SUCH PREMISES, SUCH WORK SHALL BE DONE BY THE CITY AND THE ACTUAL COST OF THEREOF LEVIED ASSESSED AND COLLECTED AGAINST THE PROPERTY OWNER.

SECTION 4: THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE THE DATE THIS ORDINANCE IS PASSED BY THE CITY COUNCIL.

PASSED AND APPROVED 3-14-17

Ron Walker Mayor

Patsy Evans Commissioner

Don Meek Commissioner

Attest

[Signature]
City Secretary