

Chapter 8

UNDESIRABLE PLANTS

SECTIONS:

- 6-8-1: Definitions**
6-8-2: Removal of Undesirable Plants and Weeds
6-8-3: Enforcement
6-8-4: Penalty

6-8-1: Definitions

A. “Undesirable Plants” means Russian, Spotted and Diffuse Knapweed and Leafy Spurge. (Ord. 9-1991, 12-2-1991)

B. “Weeds” means weeds, grass, brush or other vegetation which is in excess of 12 inches in height, and shall include: Bindweed, Canada Thistle, Perennial Sowthistle, Russian Thistle, Fireweed, Mustards, Sandburs, Hairy Stickweed and Grass. The foregoing enumeration is not intended to be exclusive, but rather is intended to be indicative of those types of plants which are considered a detriment to the public health gardens, and small grain plots (Wheat, barley, oats and rye). (Ord 4-1975, 8-5-1975)

6-8-2: Removal of Undesirable Plants and Weeds

A. Property owners within the Town of Westcliffe, Colorado, shall be responsible for the elimination of undesirable plants from their property. Such removal shall be accomplished in an ecologically feasible and environmentally safe manner in accordance with all applicable laws, ordinances, rules, and regulations. (Ord. 8-1991, 12-2-1991)

B. It shall be unlawful for any owner, lessee, agent, occupant, or person in possession or control of any occupied or unoccupied lot or tract of land or any part thereof in the Town of Westcliffe, to permit or maintain on any such lot or tract of land, or on or along the sidewalk, street or alley adjacent to the same, any growth of weeds to a height greater than 12 inches. (Ord. 4-1975, 8-5-1975)

6-8-3: Enforcement

A. The Town shall have the right to enter upon any premises, lands or places, whether public or private, during reasonable business hours upon proper notice for the purpose of inspecting for the existence of undesirable plants, and shall have the right to propose,

implement or enforce the management of undesirable plants upon such lands in accordance with the provisions of C.R.S. § 35-5.5-109. (Ord. 8-1991, 12-2-1991)

- B. If weeds exist on any property to a height greater than 12 inches, the Mayor, or authorized representative, after notice by mail to the last known address of the owner, agent, lessee or occupant of the property, is hereby authorized to cause the cutting and removal of weeds and to assess the costs, plus an additional amount up to \$25.00 to cover administrative costs and a penalty, against the lots or tracts of land from which such weeds are removed. (Ord. 4-1975, 8-5-1975)

6-8-4: Penalty

Violation of this chapter shall be subject to a penalty of up to 90 days in jail or fine of \$300.00, or both such fine and imprisonment in addition to any other remedies provided herein or allowed by ordinance, law, rule, or regulation. (Ord. 8-1991, 12-2-1991)