



ORDINANCE NO. 379

AN ORDINANCE DECLARING OFFENSIVE AND NOXIOUS WEEDS OR PLANTS WITHIN THE CITY OF REXBURG, IDAHO, A PUBLIC NUISANCE, AND PROVIDING THAT SAID WEEDS BE CUT, REMOVED AND DESTROYED WHEN THE OWNER OR AGENT OF THE PREMISES IS NOTIFIED TO DO SO BY THE CHIEF OF POLICE OR FIRE CHIEF : PROVIDING THAT IF THE OWNER, AGENT OR PERSON IN CHARGE FAILS TO COMPLY WITH SAID NOTICE OR FAILS TO CUT, REMOVE AND DESTROY SAID WEEDS, THE CHIEF OF POLICE OR FIRE CHIEF MAY ORDER SAID WORK DONE AT THE CITY'S EXPENSE AND CHARGED AGAINST AND BE A LIEN ON THE PROPERTY UNTIL PAID: PROVIDING THAT SAID LIEN BE FILED THE SAME AS FOR FILING LIENS FOR OTHER SPECIAL IMPROVEMENTS AGAINST PROPERTY: PROVIDING PENALTIES FOR THE PERSON OR PERSONS WHO FAIL TO COMPLY WITH SAID NOTICE.

BE IT ORDAINED BY THE CITY OF REXBURG, IDAHO:

SECTION I: That all offensive and noxious weeds or plants, within the limits of the City of Rexburg, are hereby declared to be a public nuisance, and shall be cut, removed and destroyed by the owner or agent of the ground or premises on which the same are located, when notified to do so by the Chief of Police or Fire Chief. Said notice to be served in the manner hereinafter provided.

SECTION II: It shall be the duty of the Chief of Police or Fire Chief to notify the owner, agent or person having charge of any property within the city limits of the City of Rexburg, where offensive or noxious weeds or plants are growing to cut, remove and destroy the same. Said notice shall describe the location of the property as nearly accurate as can be and shall specify the time in which said weeds must be cut, removed and destroyed; and shall be served upon the owner, agent, person in charge of such property, if such owner, agent or person in charge can be found; then by posting a notice upon a conspicuous place on the premises and registering a copy of a said notice to the owner or agent of the same.

SECTION III: If the owner, agent or the person in charge fails to comply with said notice, or fails to cut, remove or destroy the noxious weeds growing upon any property in the City of Rexburg, the Chief of Police or Fire Chief may order the said work done at the expense of the city and the same shall be charged against and be a lien on the property until paid. Said lien to be filed the same as is provided for filing liens for sidewalks or other special improvements against property.

SECTION IV: Any person or persons owning or controlling any such property upon whom notice has been served to remove said noxious weeds, who fails to comply with said notice upon conviction, shall be punished by a fine of not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars, or more than thirty days imprisonment in the city jail, or by both such fine and costs, they shall be confined in the city jail for default of payment of such fine and costs, they shall be confined in the city jail for the payment thereof at the rate of \$1.50 per day.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 6th day of August, 1951.

J. M. Parkinson, Mayor

(SEAL)

ATTEST:

Loretta M. Rigby, City Clerk

STATE OF IDAHO)
)ss.
County of Madison)

I, LORETTA M. RIGBY, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

AN ORDINANCE DECLARING OFFENSIVE AND NOXIOUS WEEDS OR PLANTS WITHIN THE CITY OF REXBURG, IDAHO, A PUBLIC NUISANCE, AND PROVIDING THAT SAID WEEDS BE CUT, REMOVED AND DESTROYED WHEN THE OWNER OR AGENT OF THE PREMISES IS NOTIFIED TO DO SO BY THE CHIEF OF POLICE OR FIRE CHIEF : PROVIDING THAT IF THE OWNER, AGENT OR PERSON IN CHARGE FAILS TO COMPLY WITH SAID NOTICE OR FAILS TO CUT, REMOVE AND DESTROY SAID WEEDS, THE CHIEF OF POLICE OR FIRE CHIEF MAY ORDER SAID WORK DONE AT THE CITY=S EXPENSE AND CHARGED AGAINST AND BE A LIEN ON THE PROPERTY UNTIL PAID: PROVIDING THAT SAID LIEN BE FILED THE SAME AS FOR FILING LIENS FOR OTHER SPECIAL IMPROVEMENTS AGAINST PROPERTY: PROVIDING PENALTIES FOR THE PERSON OR PERSONS WHO FAIL TO COMPLY WITH SAID NOTICE.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 6th day of August, 1951.

Loretta M. Rigby, City Clerk

(SEAL)