

ORDINANCE NO. 4714

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 7.84, PUBLIC NUISANCES.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Albany Municipal Code Section 7.84.130, Abatement is amended to read as follows:

7.84.130 Abatement. (a) Deadline to Cut. Within ten (10) days after the third publication of the notice required in AMC Section 7.84.120, or as soon thereafter as a violation of AMC Section 7.84.110 may occur, the owner of the property shall cause the weeds, grass, or other noxious vegetation in violation of AMC Section 7.84.110 to be cut.

(b) Violation Notice. In the event a property owner fails to remove weeds, tall grass, or other noxious vegetation the city manager or his designate will cause written notice to be mailed to the property owner that he is in violation of AMC Section 7.84.110 and the property owner will be given ten (10) days in which to bring the property into compliance with the provisions of AMC Section 7.84.110.

(c) Requested Cutting by City. At the request of the owner, the city manager or his designate will cause grass, weeds, or other noxious vegetation to be cut for a fee sufficient to cover the direct cost plus ~~20%~~ 30% for administrative overhead with a minimum fee of ~~\$30.00~~ \$60.00.

(d) Cutting by City. The city manager or his designate may cause to be cut any weeds, grass, or other noxious vegetation which is in violation of AMC Section 7.84.110 at anytime following the ten (10) days from the date of notice to remove weeds, grass, and other noxious vegetation. The cost of the removal of said weeds, grass, and other noxious vegetation shall be as calculated in Sub-section (c) of this Section and will be a charge to the owner of the property and will become a lien against the property.

(e) Right to Enter. In the event that it becomes necessary for the city manager or his designate to undertake the cutting and removal of the grass, weeds, and other noxious vegetation from any private lot within the city, the designate of the city manager shall have the right at reasonable times to enter into or upon said property to cut said grass, weeds, and other noxious vegetation.

(f) Cost to Become a Lien. Upon completion of the clearing of any real property under the provisions of AMC Section 7.84.130 hereof and in the event that the fee is not paid within thirty (30) days, the city manager or his designate shall file with the city recorder and thereafter present to the city council an itemized statement of the cost thereof as specified in AMC Section 7.84.130. The

city council shall, thereafter, by ordinance determine the reasonableness of said statements of costs and adjust the same, and thereupon the amount of said statements as approved by the city council shall be an obligation owed to the City of Albany by the owner of the real property involved, and the city shall have a lien upon said real property for such sum and the lien shall be entered in the lien docket and enforced against said property in the manner provided for the enforcement of city liens.

(g) Summary Abatement. The procedure provided by this ordinance is not exclusive but is in addition to abatement procedure provided by other ordinances.

Passed by Council: March 26, 1986

Approved by Mayor: March 27, 1986

Effective Date: April 25, 1986

Tom Holman
Mayor

ATTEST:

[Signature]
City Recorder