

**ORDINANCE 2023-06**  
**AMENDING THE MUNICIPAL CODE OF THE TOWN OF LA PAZ, INDIANA**  
**REGARDING TALL GRASS, WEEDS, AND OTHER VEGETATION**

**WHEREAS**, the Town Council of the Town of La Paz, Indiana, is obligated to protect and promote the health and safety of its residents and visitors and to preserve the value of private property within the municipal limits; and

**WHEREAS**, the Town Council had previously adopted certain ordinances regulating trash, refuse, and the accumulation of leaves, high grass, weeds, and other offensive vegetation; and

**WHEREAS**, there are a number of properties in the Town of LaPaz which have an accumulation of refuse and high grass, all of which lead to health and sanitation issues.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAPAZ, INDIANA, AS FOLLOWS:**

1. Ordinance 2009-02 is hereby amended as follows:

Section 2. For purposes of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Refuse” shall mean rubbish, litter, glass, ashes, tin cans, paper, grass, brush, fallen tree limbs, fallen trees, logs, cloth, offal or any other discarded materials which are unsightly or unsanitary or both.

“Rank and Noxious Vegetation” shall include those weeds and growing vegetation which is excessively vigorous in growth, shockingly conspicuous, malodorous and/or flagrant. This definition shall apply to any and all vegetation that inhibits a safe field of view along any public roadway.

“Weeds” shall include any plant that is not valued where it growing, and is of rank growth, tends to overgrow or choke out more desirable plants and/or is listed as a weed in the U.S. Department of Agriculture publication entitled *Common Weeds of the United States*, or as identified in any similar government publication.

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Section 5. It shall be the duty of the owner of any lot, part of a lot, or parcel of ground situate in the Town to cut, dig, or remove from the real estate and the lawns abutting thereon any grasses, wild lettuce, burdock, cocklebur, sandbur, or any other variety or specie of bur, Russian thistle or Canadian thistle, or any other variety or specie of thistle or prickly plants, weeds, or other rank and noxious vegetation that may be

growing thereon each year during the period from May 1<sup>st</sup> to September 30. All vegetation described in this Section must not grow greater than nine inches (9") in height.

Section 6. Upon discovering any refuse or receiving any complaint regarding any refuse or accumulation thereof or upon receipt of a complaint that a person has failed, neglected or refused to cut or remove weeds and grasses designated in this ordinance either between May 1 and September of any year, it shall be the duty of the Town police/ordinance enforcement officer to notify the property owner and all persons holding a substantial interest in such real estate in writing of his violation of this Ordinance and demand on behalf of the Town the immediate removal thereof. The officer shall provide written notice of the violation twice, at least forty-eight (48) hours apart, to each property owner that has never received notice of a violation of this Ordinance; the officer shall only provide one written notice to each property owner who has previously received at least one (1) written notice for a violation of this Ordinance during the same calendar year. In the event that the property owner fails to remove the refuse or cut or remove the weeds and grasses within ten (10) days from the date of the mailing of the notice, the officer shall notify the Town Street Department of the violation and the Town Street Department shall proceed as authorized and provided for in this Ordinance.

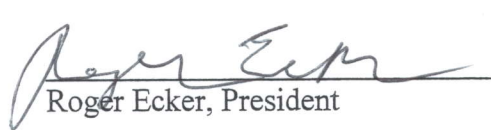
Section 7. Any owner of real estate within the Town who shall fail, neglect, or refuse to remove any refuse or accumulation of refuse found upon his real estate or to cut or remove the weeds and grasses specified herein, shall be subject to having such refuse or accumulation of refuse and weeds cut or removed by the Street Department at a cost of not less than Fifty Dollars (\$50.00) per hour for each and every man hour expended by the Street Department in removing such refuse or cutting such weeds with a minimum charge of Twenty Dollars (\$20.00) per job plus any removal costs and administrative costs which may have been incurred by the Town. Such charge for so removing the refuse or cutting weeds shall be a lien against the real estate of the owner and shall be placed on the tax records of the County. Such lien shall be collected by the County Treasurer as other taxes are collected. However, after making the assessment of the cost, the Clerk-Treasurer shall send a written statement to the owner of the real estate setting forth the amount due the Town by reason of removing the refuse or weeds from his real estate and if the property owner does not pay such assessment within fifteen (15) days of the date of mailing the notice, then certification shall be made by the Clerk Treasurer to the Treasurer and Auditor of Marshall County for collection as herein provided.

2. All other portions of said ordinance remain unchanged and in full force and effect.
3. The provisions of this ordinance shall be effective immediately upon approval.

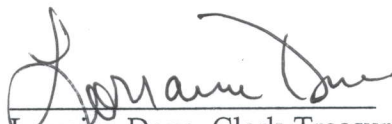
2. This ordinance shall take effect upon passage by the Town Council.

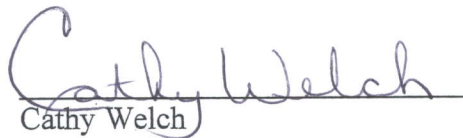
**PASSED and ADOPTED** by the Town Council for the Town of La Paz, Indiana, on the 10th day of August, 2023.

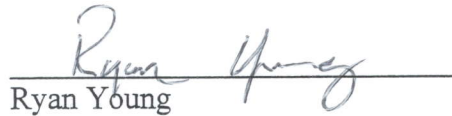
**THE TOWN COUNCIL OF**                      YAY NAY  
**THE TOWN OF LA PAZ,**  
**INDIANA**

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\_\_\_\_\_  
Roger Ecker, President

ATTEST:

  
\_\_\_\_\_  
Lorraine Dove, Clerk-Treasurer  
Town of La Paz, Indiana

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\_\_\_\_\_  
Cathy Welch

 YAY ✓  
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Ryan Young