

City of Worthing

Lincoln County

PO Box 277 • 208 S. Main St.

Worthing, South Dakota 57077

ORDINANCE 2010-245-2

AN ORDINANCE AMENDING SECTION 3.0101 (3) IN TITLE 3, HEALTH AND SANITATION, CHAPTER 3.01, NUISANCES OF THE REVISED MUNICIPAL ORDINANCES OF THE CITY OF WORTHING (1991), LINCOLN COUNTY, SOUTH DAKOTA

BE IT ORDAINED BY THE CITY OF WORTHING LINCOLN COUNTY, SOUTH DAKOTA

Chapter 3.0101 (3) of the Revised Ordinances of Worthing (1991), is hereby amended to read as follows:

Section 3.

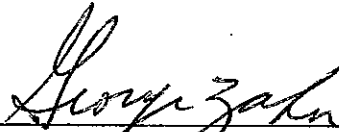
3. Permitting Grass or Weeds Within the City Limits to Grow Over Six (6) Inches. It shall be the responsibility of each property owner and/or each occupant to keep and maintain his or her property (including the boulevard along the street out to the curb and the alley, if any adjoining his or her property) free of tall weeds, grass or other harmful vegetation greater than six (6) inches in height and a spread of the same. If any owner or occupant of real estate allows such vegetation to reach six (6) inches, notice shall be given to the owner of such property to remove the growth, so as to bring the property into compliance. After a notice has been sent, the property owner shall have five (5) business days to bring the property into compliance. If the property owner fails to do so within this time limit, the City shall proceed to mow the property and remove weeds where necessary. Thereafter, the property owner shall receive a bill from the City for mowing. The rate will be \$75.00 per hour for mowing and weed removal. A second offense upon the same property within the same season will result in the rates doubling to \$150.00 per hour. If the bill is not paid, the City may recover the expenses so incurred from the person in a civil suit instituted for such purpose, or it may levy an assessment against such property and collect the same. The City Commission shall cause to be published all assessments, together with a notice that said assessments shall be considered by the City Commission at the regular October meeting of each year at which time and place any person may appear and be heard. Such notice shall be published once in the official newspaper and at least ten (10) days prior to the October meeting. Within ten (10) days after the assessment has been approved by the City Commission, a certified copy of the same shall be filed with the Finance Officer, and

shall be due and payable to the City. If the assessment is not paid within sixty (60) days of filing, a penalty cost of ten (10) percent shall be added in addition to an annual interest rate at the highest rate allowed by law on the unpaid balance. (SDCL 9-29-13).

Dated this 22nd day of February, 2010.

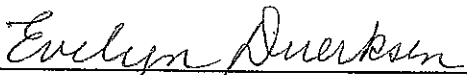
(SEAL)

SIGNED:



George Zahn, Mayor

ATTEST:



Evelyn Duerksen, Finance Officer

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| First Reading: | February 8, 2010 |
| Second Reading: | February 22, 2010 |
| Adoption of Ordinance: | February 22, 2010 |
| Publication Date: | March 4 th , 2010 |
| Effective Date: | March 25 th , 2010 |