

ORDINANCE NUMBER 123
CARE OF RIGHT OF WAY

The City Council of Stockton, Minnesota, ordains that:

Article I: CARE OF RIGHT OF WAY

- (a) The owner or occupant of any private property abutting on any public right of way shall plant, maintain, and care for grass and shall cut such grasses or remove noxious weeds, refuse and rubbish in the earthen border lying between the private property and the vehicular-traveled portion of the public street or alley. Right of Way shall include all streets, roads, alleys, and the public property adjacent to said street, road, or alley.
- (b) If grass or weeds attain a height in excess of ten (10) inches, it shall be prima facie evidence of a failure to comply with this subdivision.
- (c) The provisions of this paragraph shall not apply to non noxious weeds and grass vegetation in wetland areas; stream beds; riparian buffer strips that convey water; natural or altered slopes steeper than a 2:1 ratio; ornamental grasses; agriculturally zoned land, including pastures, that are fenced and contain animals; publicly owned parks or private property designated as natural preserves; or natural undisturbed areas where the land and vegetation appears not to have been graded, landscaped or otherwise disturbed by human or mechanical means in recent time.
- (d) The City may, in the case of failure to comply with this section, perform the work with employees of the city, keeping an accurate account of the cost thereof for each lot, piece or parcel of land abutting upon the right of way.
- (e) The property on which or adjacent to which the service has been performed by the City shall be personally liable for the cost of the service. The City may collect costs due or assess the costs to the property as provided in the City's Nuisance Ordinance (No. 111).
- (f) Failure to comply with this ordinance shall be a misdemeanor.
- (g) This ordinance shall take effect upon its publication.

Dated this _____ day of _____, 2005.

Jack Roberts, Mayor

Attest: _____
Bethany Winchester
City Clerk

Dated:
Sealed: