
AN ORDINANCE OF THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI DEFINING WEEDS AS WELL AS REQUIRING OWNERS AND OCCUPANTS OF LAND IN THE CITY OF OSBORN TO KEEP WEEDS TO A HEIGHT OF NOT OVER EIGHTEEN INCHES.

Whereas various property owners and occupants of land within the City of Osborn, Missouri, have permitted weeds on their property to grow without cutting them; and whereas, this Board of Aldermen is mindful of the fact that such rank growths of weeds and brush constitute a health menace and detriment to the residents of Osborn, as well as to other persons coming into the City; now therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:

SECTION 1. Definitions

A. Weeds are defined as “Weeds, Brush, Vines, and Volunteer Trees.

SECTION 2. No owner of any lot or parcel of land or part thereof within the City of Osborn, Missouri nor any tenant or occupant of any such lot or parcel of land, shall permit weeds, brush, vines, or volunteer trees to grow on same to a height of more than eighteen inches. Except property that is used for agricultural pursuit, such as hay ground, shall be mowed twice a year. Land that is used for pasture shall also be mowed at least once per year, or chemically sprayed to control broadleaf weeds.

SECTION 3. Established timber area would be exempt from this ordinance.

SECTION 4. Owners or occupants of properties that border on any creek that run through the town of Osborn shall cut the grass up to a reasonable distance of the creek bank. The owner will not be responsible for clearing weeds on the bank of any creek or in any creek itself.

SECTION 5. Commercial property shall be free of weeds, brush, vines, and volunteer trees over eighteen (18) inches high. Any exceptions require Board approval.

BILL NO: 2010-11

ORDINANCE NO: 2010-11

SECTION 6. If any owner or occupant of any land or ground in the City of Osborn violates any of the above sections, the City of Osborn may, through its agents, servants, or employees, notify such owner or owners or occupant or occupants, wither orally or by letter or by posting a notice on the premises involved, saying in substance to cut the weeds on this property in accordance with Ordinance No. 2010-11, which notice shall be signed by the Mayor, and if the owner or occupant fails or refuses to cut said weeds within fourteen (14) days, including weekends, after being so notified or within fourteen (14) days, including weekends, after such notice is placed upon the premises, then said owner, owners, occupant or occupants of the land involved shall be guilty of a city misdemeanor and upon conviction thereof shall be fined:

- 1st Offense: \$ 250.00
- 2nd Offense: \$ 500.00
- 3rd Offense: Must appear in Court

All fines are in addition to Court Costs.

The City of Osborn after giving the aforesaid notice, and after non-compliance therewith, may through its agents, servants, or employees cause said weeds to be cut down, and shall certify the cost of cutting the same to the City Collector, who shall cause a special tax bill therefore against the property involved to be prepared and to be collected with other taxes assessed against the said property; and the city tax bill from the date of its issuance shall be a lien on the city property until paid and shall be prima facie evidence of the recitals therein and if its validity, and no more clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Such tax bills if not paid when the regular city tax on real estate is due shall bear interest at the rate of eight per cent per annum.

SECTION 7. Ordinance 2010-11 replaces Ordinance 1979-182 and all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby revoked and repealed.

Read three times, passed and adopted by the Board of Aldermen of the City of Osborn, Missouri, this 11th day of August, 2010.

ATTEST:

Scott McKay, Mayor

Christie Smith, City Clerk

CERTIFICATE

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-11 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-11 has not been altered, amended or repealed as of this 11th day of August, 2010.

Christie Smith, City Clerk

(Seal)