

**CITY OF UNION GAP, WASHINGTON
ORDINANCE NO. 2519**

AN ORDINANCE adding a new Section 8.20.010(b)(19) to the Union Gap Municipal Code entitled "Weedy Lots", declaring weedy lots to be a public nuisance.

WHEREAS, weedy lots, in addition to posing a fire hazard, present other general nuisances within the City, which suffers upon the general public annoyance, inconvenience, and interference with the public's enjoyment of property. Such nuisances include the migration of weeds from weedy lots to the lots of other property owners within the City requiring clean up and other remedial measures;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNION GAP DOES ORDAIN as follows:

Section 1. New Section 8.20.010(b)(19) entitled "Weedy Lots" created and added to Chapter 8.20 of the Municipal Code, Nuisances.

A new Section 8.20.010(19) is hereby adopted as follows:

Chapter 8.20 NUISANCES

8.20.010 Public nuisance defined.

... (b) The following acts, in addition to any other in violation of subsection A of this section, shall constitute a public nuisance:

... **(19) Weedy Lots**

Any property, parcel, or lot within the City where weeds, brush or uncultivated vegetation are growing or which has grown generally in an area to a height of twelve inches or more above the ground is declared a public nuisance. It is the duty of the owner, occupant or person having control of property wherein or whereon any public nuisance described by this section exists to abate the nuisance by destroying, removing or trimming the growth. Weeds, brush or uncultivated vegetation creating a nuisance must be cut as close to the ground as practicable. Cut weeds, brush, vegetation, or dead weeds that have accumulated in such a manner that they can be readily scattered or blown about by customary winds as to menace the public health, safety, welfare or order is also declared a public nuisance. It is the duty of the owner, occupant or person having control of property wherein or whereon cut weeds, brush, vegetation, or dead weeds are accumulated to abate the nuisance by removing and properly disposing of the accumulation.

Section 2. Severability/Validity.

The provisions of this ordinance are declared separate and severable. If any section, paragraph, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not effect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each section, paragraph subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs subsections, clauses or phrases may subsequently be found by competent authority to be unconstitutional or invalid.

Section 3. Effective Date.

This Ordinance shall take effect and be in force five (5) days after final passage by the City Council and publication.

ORDAINED this 12th day of February, 2007.

Aubrey C. Reeves, Jr.
Mayor

ATTEST:

APPROVED AS TO FORM:

Kathryn Thompson, CMC
City Clerk

Robert F. Noe
City Attorney