

Ordinance #155

Be it ordained by the Mayor and the City Council of the City of Michigan City, Nelson County, North Dakota:

Section 1: Definitions:

“Grass”- shall include any vegetation grown as turf for the City resident and business lawns.

Section 2: Regulations:

Standard length of grass – The grass on a property in the City of Michigan, shall at no time exceed 6” inches.

Section 3: Cost Assessed to Property

When the City has effected the removal of such noxious weeds or unhealthful vegetation or has paid for their removal, the actual cost thereof, if not paid by the said owner prior thereto, shall be charged and assessed against the property upon which the grass or unhealthful vegetation were cut or destroyed. An assessment list showing the lots or tracts to be assessed with the cost against each lot or tract shall be prepared as are other special assessment lists and shall be approved by the governing body and shall bear interest at seen percent. Such assessments shall be subject to the same procedure for certification to the City Auditor, payment and collection as are other special assessments under state law, as stated in North Dakota Century Code section 40-05-01.1

Section 4: Assessment of Cost of Work Done Necessary for the General Welfare.

North Dakota Century Code section 40-05-01.1 When ever it becomes necessary for the general welfare, public health, fire protection, or public safety to order an owner or occupant of property to do certain work provided for by ordinance, and such owner or occupant refuses to conduct or comply with such order, the work may be done by the municipality and the owner or occupant of such property billed for the same by the municipality, or whenever a municipality for the general welfare, public health, fire protection, or public safety establishes by ordinance and maintains and operates a garbage and rubbish collection an removal system,. The cost of such services may be charged to the owner or occupant of the property served. If such bill is not paid when due, the amount thereof may be assessed against the premises on which such work is done, or for which the service is rendered, and collected and returned in the same manner as other municipal taxes are assessed, certified, collected, and returned. This section shall not be construed to limit or affect in any manner any methods which now or in the future may be used for the collection of costs incurred by the municipality for the purposes set forth in this section, but the remedies provided for herein shall be in addition to such methods.

Section 5: Fees for Violation

Failure of the owners or occupants therein to keep their property in good conditions and upon notice duly performed, shall be billed a rate set by City Council policy.

Section 6: Authority to Send Notice:

Authorized person: The following people are hereby authorized by the city Council to send out notices and take other actions as set forth in this ordinance.

- 1: Any member of the City Council
- 2: City Maintenance Supervisor
- 3: City Auditor
- 4: Mayor of the City of Michigan City

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the ordinance shall not be affected thereby.

This Ordinance shall be in full force and effect following its final passage, adoption and publication.

Lauri Rysavy
Mayor

Robbyn Maresh
City Auditor

First Reading: 9-8-14
Second Reading: 9-15-14
Final Passage & Adoption: 9-15-14