

ORDINANCE NO. _____

AN ORDINANCE CONCERNING OBNOXIOUS VEGETATION AND AMENDING SECTIONS 6.825 AND 6.835 OF THE EUGENE CODE, 1971.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 6.825 and 6.835 of the Eugene Code, 1971, are amended to provide as follows:

6.825 Obnoxious Vegetation - Notice.

- (1) Between May 1 and June 15 of each year the city recorder [~~shall~~] **may** cause to be published three times in a newspaper of general circulation in the city a copy of section 6.815, as notice to all persons responsible for property of their duty to keep their undeveloped property free of obnoxious vegetation. [~~The notice shall state that the city is willing to abate such a nuisance on any particular parcel of undeveloped property at the request of the owner or person in charge of the property, for a fee sufficient to cover the city's costs of such abatement. The notice shall also state that, even in the absence of such requests, the city intends to abate all such nuisances ten or more days after the final publication of the notice, and to charge the cost of doing so on any particular parcel of property plus a penalty to the person responsible or the property itself.~~]
- (2) In addition to the published notice, the city recorder [~~shall~~] **may** send by first class mail postage prepaid, a copy of the published notice to any person responsible for undeveloped property as shown on the Lane County tax rolls or upon records of the city. The failure to receive the mailed notice shall not relieve any person responsible from the obligation to abate obnoxious vegetation or to pay the cost of abatement performed by the city.

6.835 Obnoxious Vegetation - Abatement by City; Penalty.

- (1) If, within the ten days allowed by section 6.830 for abating a nuisance as defined in section 6.815, the nuisance has not been privately abated, the city manager or his designate [~~shall~~] **may** cause it to be abated.
- (2) The person authorized to cause, or retained to do, the abating may enter upon the property at reasonable times for purposes of investigating and abating the nuisance.
- (3) The finance officer shall keep an accurate record of the expense incurred by the city in abating the obnoxious vegetation and shall include therein a reasonable charge for administrative overhead.

- (4) Whenever the city abates obnoxious vegetation, in addition to any penalty judicially imposed and to the costs specified in subsection 6.835(3), there is hereby imposed on each parcel in separate ownership or contiguous parcels in single ownership, a penalty of \$50 or ten percent (10%) of the abatement costs, whichever is greater. The finance officer shall add the penalty to the amount to be collected as provided in section 6.840. The finance officer shall waive the penalty if the abatement costs are paid within the time specified in subsection 6.840(3).

Section 2. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2015

Approved by the Mayor this

___ day of _____, 2015

City Recorder

Mayor