

CURRENT

§ 95.45 DEFINITIONS.

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

WEEDS. Any undesirable, uncultivated plant.

WEEDS, GRASS AND RANK VEGETATION. Does not include agricultural crops such as hay and pasture.

§ 95.46 EXCESSIVE GROWTH PROHIBITED.

It is unlawful for the owner of any lot or tract of ground within the town to allow it to be overgrown with weeds, grass or rank vegetation beyond the height of nine inches, or to such extent that the growth is detrimental to the public health and constitutes a nuisance.

(Ord. 2021-OR-012, passed 5-10-21)

PROPOSED AMENDED

§ 95.45 DEFINITIONS.

(A) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ENFORCEMENT AUTHORITY. The Town Manager or designee, in cases of appeal, the Town Council.

LANDSCAPED AREA. All planting areas on a parcel made attractive by the use of hard or soft landscaping materials which is suitable for the growth and maintenance of flowers, bushes, and/or other landscaping which includes surfaced walk, patio, and/or similar area, fences, walls and associated earthworks, and water features; however, it shall not include areas within the footprint of buildings/structures and driveways.

PROPERTY OWNER. The person occupying the property, the holder of legal title, or a person having control over the property of another, such as a right-of-way, easement, license, or lease.

RANK VEGETATION. The uncontrolled, uncultivated growth of annuals and perennial plants.

WEEDS; GRASSES. Includes thistles, johnson grass, sorghum, alum (i.e., allium), bur cucumber, crabgrass, shattercane, and/or any plant/vine found on the Indiana invasive species list as provided by the State's Cooperative Extension Service, but shall not include shrubs, trees, cultivated plants, or crops.

YARD; FRONT, BACK, SIDE. Any lot or track of ground that does not include landscaped areas, driveway, sidewalk, home, or accessory structure that extends to the property line of the property owner.

(B) In no event shall cultivated plants or crops include plants which have been defined by state statute or administrative rule as being noxious or detrimental plants.

(C) The state's Cooperative Extension Service shall be the referenced technical authority for the enforcement authority with respect to the definition of exempt matters, shrubs, trees, cultivated plants, and crops.

(D) Agricultural crops such as hay and pasture are exempt from this subchapter.

§ 95.46 EXCESSIVE GROWTH PROHIBITED.

It is unlawful within the Town for weeds; grasses or rank vegetation to be allowed to be overgrown past the height of nine inches in any yard or nine inches within a landscaped area or to such extent that the growth is detrimental to the public health and constitutes a nuisance.