

**CITY OF ALBERTVILLE  
COUNTY OF WRIGHT  
STATE OF MINNESOTA**

**ORDINANCE NO. 2009-004**

**AN ORDINANCE AMENDING 5-3-3  
(TITLE 5; CHAPTER 3; SECTION 3) OF THE  
2005 ALBERTVILLE MUNICIPAL CITY CODE  
REGARDING REMOVAL OF WEEDS BY CITY**

The City Council of the City of Albertville, Minnesota hereby ordains:

1. Section 5-3-3 of the Albertville City Code is hereby amended to read as follows:

**5-3-3: FAILURE TO REMOVE; REMOVAL BY CITY; COSTS:**

- A. Notice To Remove: If the provisions of this chapter are not complied with, the city may serve written notice upon the owner, lessee, or occupant or any person having control of such lot or land, to comply with the provision of this section.
1. Occupied lots/land: One written notice shall serve as notice to the person upon whom it was served for the entire growing season.
  2. Unoccupied lots/land: For any vacant lot/land the City may serve written notice by leaving a door hanger in a visible place on the lot/land. One door hanger shall serve as notice to the owner, lessee, or occupant or any person having control of such lot or land for the entire growing season.
- B. Removal By City:
1. Occupied lots/land. If the person upon whom the notice is served fails to remove the weeds, grass, brush or other vegetation within five (5) days from the date such notice is postmarked or delivered, then the city may cause the weeds, grass, brush and other vegetation of such lot or land to be cut and removed. Thereafter during the same growing season, the City may cause such weeds, grass, brush and other vegetation upon such land that violates Section 5-3-1 of the City Code to be cut and removed without further written notice to the owner, lessee or occupant.
  2. Unoccupied lots/land. If the person upon whom the notice is served fails to remove the weeds, grass, brush or other vegetation within two (2) days from the date the door hanger is left, then the city shall cause the weeds, grass, brush and other vegetation of such lot or land to be cut and removed. Thereafter during the same growing season, the City may cause such weeds, grass, brush and other vegetation upon such land that violates Section 5-3-1 of

the City Code to be cut and removed without further written notice to the owner or lessee

- C. Costs Assessed: The actual cost of cutting and the removal, plus such sums as determined by the city council to reimburse the city for its costs of inspection, shall be certified by the city administrator and shall thereupon become a lien upon the lot or land on which such weeds, grass, brush, and other vegetation were located and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as real estate taxes; provided, however, the owner, lessee or occupant or any person having control of the lot or land may pay to the city, in full, the actual costs incurred for cutting and removal, plus the inspection fee, by September 15 of the same calendar year in which the cutting and removal occurred in order to avoid having such costs levied upon the lot or land.

This amendment shall be in full force and effective immediately following its passage and publication.

Approved by the Albertville City Council this 17<sup>th</sup> day of February 2009.

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Ron Klecker, Mayor

ATTEST:

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Bridget Miller, City Clerk