
Sec. 34-81. Prohibited; exceptions.

- (a) *Prohibited.* It shall be unlawful to permit offensive accumulations upon any lot, tract or parcel of land within the city, whether improved or unimproved, occupied or unoccupied. An offensive accumulation is defined as the accumulation of stagnant and noxious waters (except in drainage ditches), rubbish, trash, filth, refuse, debris or untended growth of trees, vines, undergrowth, weeds or other noxious plants, or the growth and accumulation of grass in excess of 12 inches of height from the ground, which may cause disease, menace the public health, safety or welfare, create a fire hazard, reasonably create a breeding area for or infestation of mosquitoes, dangerous insects, rodents, poisonous reptiles and other vermin or which is likely to adversely affect the values of neighboring properties.
- (b) *Public right-of-way area.* It shall be unlawful for any owner or occupant of any lot, tract or parcel of land abutting any public right-of-way within the city to allow to exist an offensive accumulation as defined in subsection (a) of this section between the paved or graded surface of any public street intended or designated for vehicular travel and the property line of the abutting lot, tract or parcel of land. Each day during which the owner or occupant allows the offensive accumulation to exist shall constitute a separate offense.
- (c) *Residential areas.* It shall be unlawful to use residential property for the open storage of junk, dilapidated motor vehicles, appliances, building materials or other similar unsightly items out of character with the neighborhood or likely to adversely affect the value of neighboring properties. For purposes of this section, a dilapidated motor vehicle is defined as one that is in a state of disrepair and incapable of being moved under its own power.
- (d) *Exceptions.* The natural growth of vegetation shall be excepted from the requirements of this section for:
 - (1) Land or parcels which are in undeveloped areas of the city;
 - (2) Land or parcels in a subdivision which is less than 15 percent developed; provided that such land or parcels are more than 1,500 feet from any improved property; or
 - (3) Lots that are landscaped to meet approved xeriscape methods and goals.

(Code 1982, § 9-51; Ord. No. 97-19, § 1(9-51), 3-25-97)