

ORDINANCE NO. 969

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, REPEALING CHAPTER 6.12 OF THE REDMOND MUNICIPAL CODE AND ENACTING A NEW CHAPTER 6.12 TO BE ENTITLED "NOXIOUS WEED CONTROL AND TREE REGULATIONS"; DEFINING TERMS; PROHIBITING THE GROWTH AND SPREAD OF NOXIOUS WEEDS; PROVIDING FOR NOTICE TO PROPERTY OWNERS; REQUIRING COMPLIANCE WITH NOTICES; AUTHORIZING THE CITY TO PERFORM NECESSARY CORRECTIVE ACTION; REQUIRING PRUNING OF TREES AND SHRUBS; PROHIBITING DAMAGE TO CITY PROPERTY; AND IMPOSING PENALTIES.

WHEREAS, the City Council finds that the growth and spread of noxious weeds are detrimental to the public health, safety and general welfare, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 6.12 of the Redmond Municipal Code is hereby repealed and a new Chapter 6.12 is hereby added to be entitled "Noxious Weed Control and Tree Regulations".

Section 2. A new Section 6.12.010 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.010 DEFINITIONS. As used in this Chapter, the following terms shall have the following meanings:

- A. 'Director of Public Works' shall include his designee.
- B. 'Noxious Weeds' are plants which are injurious to humans, animals, other plants or property and which have been designated as such by the Director of Public Works.
- C. 'Owner' means any person or his agent owning and/or in actual control of real property in the City of Redmond, whether as fee owner, tenant or holder of other possessory interest.
- D. 'Person' means any individual, partnership, corporation or other association, including municipal corporations, public utilities, private utilities and governmental agencies."

Section 3. A new Section 6.12.020 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.020 LIST OF NOXIOUS WEEDS. The Director of Public Works is authorized to prepare a list of noxious weeds which are injurious to humans, animals, other plants or property.

In preparing such list, the Director of Public Works may utilize a list of noxious weeds as set forth by the State Noxious Weed Control Board or any County Noxious Weed Control Board. The list may be revised from time to time as determined by the Director of Public Works."

Section 4. A new Section 6.12.030 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.030 OWNER TO CONTROL NOXIOUS WEEDS. Owners shall take all necessary steps to prevent the growth and spread of any noxious weeds growing on their property within the City."

Section 5. A new Section 6.12.040 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.040 NOTICE/CONTENTS/SERVICE.

- A. Whenever the Director of Public Works becomes aware that noxious weeds are present upon property within the City and that the owner is not taking sufficient steps to control the same, the Director of Public Works shall send a written notice to the owner as set forth herein.
- B. The written notice shall contain the following:
 - 1. The name of the noxious weeds growing on the property.
 - 2. The location of the property.
 - 3. The type of action necessary to control the noxious weeds.
 - 4. The time within which such action must be completed. The time stated must be at least ten days from the date of the notice.
 - 5. Signed and dated by the Director of Public Works.
- C. The written notice shall be posted on the property and a copy sent by U.S. Mail, postage prepaid, addressed to the owner at the address shown on the rolls of the County Treasurer, and to the property address, if there be one."

Section 6. A new Section 6.12.050 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.050 COMPLIANCE REQUIRED. No owner shall fail or refuse to take the corrective action set forth on the written notice within the time limit set forth therein."

Section 7. A new Section 6.12.060 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.060 CITY FORCES AUTHORIZED.

- A. If the owner fails or refuses to take the corrective action set forth in the written notice within the specified time limit, the Mayor may order the corrective action be taken by City forces.
- B. In the event the corrective action is performed by City forces, the owner shall be liable for the full costs

thereof, including fees for cost of service of the notice and for administrative overhead.

- C. The remedy provided in this Section shall be in addition to any other action authorized in this Chapter or under State law, including institution of appropriate criminal and/or civil proceedings in courts of competent jurisdiction."

Section 8. A new Section 6.12.070 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.070 TREES PRUNED - NOTICE.

- A. Owners of property bordering on any City street, alley or right-of-way shall prune trees and shrubs growing on their property in such manner that the trees and shrubs will not block or shade the light from street lights, interfere with passage of vehicles or pedestrians, obstruct the vision of traffic signs or obstruct the view of any intersection.
- B. Should any owner fail or refuse to prune his trees and shrubs in the manner specified above, the Director of Public Works shall send the owner a written notice in the manner specified in Section 6.12.040.
- C. Should the owner fail or refuse to prune the trees and shrubs within the time limits of the notice, the Mayor may authorize City forces to perform the work as set forth in Section 6.12.060."

Section 9. A new Section 6.12.080 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.080 CARE IN PLANTING TREES REQUIRED.

- A. All owners shall plant and care for their trees and shrubs in such a location and in such a manner as to avoid damage to City property, including streets, signs, sidewalks and utilities by means of growing branches, trunks and/or roots.
- B. The Director of Public Works, if it is determined that any trees or shrubs are planted or growing in a manner to cause damage to the City property, shall send the owner a written notice of necessary corrective action as set forth in the manner specified in Section 6.12.040.
- C. In the event the owner fails or refuses to take the required corrective action within the time limits of the notice, the Mayor may authorize City forces to perform the work as set forth in Section 6.12.060."

Section 10. A new Section 6.12.090 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.090 PENALTY. Any person violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as set forth in Section 1.01.110 of the Redmond Municipal Code."

Section 11. A new Section 6.12.300 is hereby added to the Redmond Municipal Code to read as follows:

"6.12.300 SEVERABILITY. If any word, phrase, clause or other portion of this Chapter is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Chapter."

Section 12. This ordinance shall be in full force and effect five (5) days after passage and publication as provided by law.

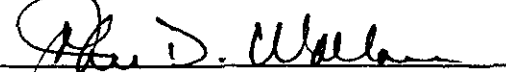
CITY OF REDMOND


MAYOR, CHRISTINE T. HIMES

ATTEST/AUTHENTICATED:


CITY CLERK, PAUL F. KUSAKABE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: August 6, 1980
PASSED BY THE CITY COUNCIL: April 7, 1981
SIGNED BY THE MAYOR: April 7, 1981
POSTED: April 9, 1981
EFFECTIVE DATE: April 14, 1981