

**Sec. 74-8. Planting of poplar and willow trees.**

(a) No person shall plant any poplar or willow trees within any of the public streets or alleys of the city.

(b) No person shall plant or maintain any poplar, willow or other trees upon his premises near enough to any public sewer in the city so that the roots from such tree shall endanger the operation of such sewer. Upon notice from the board of public works that any such tree endangers the operation of a public sewer, the owner or occupant of such premises shall remove such tree within ten days from such notice.

(Code 1965, Sec. 5.09)

**Sec. 74-9. Overhanging trees.**

(a) *Notice to trim.* The branches of all trees which overhang any sidewalk, street, or alley shall be so cut and trimmed that no branch or part of a branch shall come within eight feet of the

street or sidewalk. The owner or person having charge of such trees, upon being notified by the

city, shall cut or trim the branches to such height within five days after such notice.

(b) *Removal of dead branches.* The owner or person having charge of any shade or other

trees shall not allow any dead branches to overhang any street or sidewalk.

(c) *Failure to remove; lien.* Upon failure of any person to trim or remove such trees upon notice, the board of public works is hereby authorized to have such trees removed or trimmed

and the expense thereof shall be assessed against the property as a special assessment.

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(d) *Violation penalties.* In addition to any other penalties set forth herein, any person who shall violate any provision of this section shall be responsible for a municipal civil infraction and

subject to enforcement procedures and penalties as set forth in section 1-16.

(Code 1965, Sec. 5.10; Ord. No. 816, Sec. 26, 2-6-95)

**Sec. 30-92. Owner of property required to abate noxious or dangerous weeds.**

It shall be the duty of every person who owns, occupies or leases any land within the city to cut, destroy, and remove or cause to be cut, destroyed, or removed from the land all noxious

and poisonous weeds growing thereon, as well as dead grass and brush thereon, to prevent

such weeds from going to seed or blossom, as the case may be; to prevent grass from growing

in excess of six inches in height, except for dune grass; and to prevent such dead grass and

brush from becoming a fire hazard.

(Code 1965, Sec. 14.02; Ord. No. 731, Sec. 3, 3-15-90)

**Sec. 30-93. Notice of abatement to property owners.**

(a) The code enforcement officer or his authorized agent is hereby empowered to notify in

writing the owner of any such lot, or the parkway adjacent to that lot, land, or area within the

city, or the agent of the owner, to cut, destroy, and remove any tall grasses or noxious or

poisonous weeds, or other noxious matter or miscellaneous debris present on such owner's property.

(b) Such notice of abatement shall include a statement of the consequences should the owner not comply with the notice of abatement. If the owner of any such lot, or the parkway adjacent to that lot, land, or area within the city, or the agent of the owner does not abate such conditions within five days from the date of the notice, the city shall cut, remove, or destroy such noxious weeds or grasses (except dune grass) exceeding six inches in height, or remove any miscellaneous debris.

(c) A notice shall also be published in the local newspaper and posted on lands which are vacant informing owners that the city shall cut, remove or destroy any noxious weeds or grass exceeding six inches in height or remove any miscellaneous debris if the conditions are not abated by such landowner. The notice shall state that such landowner shall be required to abate such conditions within five days from the date of the notice.

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(d) Such property owners shall be given only one notice a year when conditions are found to be in violation of this chapter. The property owner shall be responsible to comply with the conditions described in this section throughout the year.

(Code 1965, Sec. 14.03; Ord. No. 731, Sec. 4, 3-15-90)

**Sec. 30-94. Action upon noncompliance of owner.**

(a) Should the owner of a property fail to conform with the provisions of this article, it shall be the duty of the code enforcement officer or his designated agent to cause all of the noxious conditions, noxious and poisonous weeds and dead grass, brush and grass exceeding six inches in height, and miscellaneous debris to be cut, destroyed, removed or towed from the land.

(b) The landowner shall be liable for the costs of cutting, destroying, removing or towing of such conditions by the city or the city's designated contractor. The costs shall be levied and collected against the lands in the same manner as other taxes are levied and collected. Those costs are based on the actual cost of the work performed and billed to the city by private contractors or actual costs incurred by the city to abate such condition, plus \$50.00 administrative fee for correcting violations.

(Code 1965, Sec. 14.04; Ord. No. 731, Sec. 5, 3-15-90)

**Sec. 30-95. Violation penalties.**

In addition to any other remedies set forth in this article, any person who shall violate any provision of this article shall be responsible for a municipal civil infraction and subject to enforcement procedures and penalties as set forth in section 1-16.  
(Ord. No. 816, Sec. 12, 2-6-95)