



PRIVATE MOWERS 2022

Listed below are some private mowers who have requested to be listed as supplying weed cutting services. The City accepts **NO** responsibility as to the character or quality of work performed by the listed companies. We are only listing them as being available for this type of weed control.

MIKE JOYCE Large and Small Lots	<u>696-5820</u>
HAROLD SILKWOOD Large Lots	<u>259-0231</u>
Mr. Mow It All All types of lots	<u>256-1010</u>
River Ridge Landscape Company Ask for Aaron All types of lots	<u>628-7317</u>



Code Enforcement Division
(406) 237-6146

For billing information, please contact
(406) 237-6146



Sec. 25-308. Appeals

(a) In the event an owner disagrees with a notice of violation, or due to extreme hardship is incapable of complying with the provisions of this article, the owner **may appeal a violation notice to the Director of Planning within seven (7) days of receiving the violation notice. Such appeal must be in writing** and must set forth the specific reasons why the violation notice is not well taken, or why the owner is unable to comply with the provisions of this chapter. For good cause shown, or in cases of extreme hardship, the Director of Planning may make a determination that the provisions of this article are inapplicable to a certain parcel. Decisions of the Director of Planning are final, and subject only to judicial review.

(b) **An owner may file a written appeal of any costs, fees and penalties imposed under this article to the Director of Planning within seven (7) days of being billed. Such appeal must be in writing** and must set forth the specific reasons as to the owner's objections to the costs, fees, and penalties imposed. For good cause shown, or in cases of extreme hardship, the Director of Planning may modify or waive costs, fees and penalties imposed under this article. Decisions of the Director of Planning are final, and subject only to judicial review.

City of Billings MISSION STATEMENT

"The Magic City— a vibrant, welcoming place where people flourish and business thrives."

Nuisance Weeds

2023



Code Enforcement Division
(406) 237-6146

Planning & Community Services
Department



2825 3rd Avenue North, 4th Floor
Billings MT 59101

**ARTICLE 25-300
Nuisance Weeds**

SECTION 25-301. DEFINITIONS

Nuisance Weeds means: all weeds, grasses, noxious weeds, and untended vegetation growing in excess of twelve inches (12") in height located on any premises in the City, any other untended vegetation creating a potential fire hazard, visual or physical obstruction for pedestrians or vehicles, potential for the spread of said vegetation, or unsightly condition.

Owner means: the title owner(s), representative(s) of any title owner, occupant(s), contract purchaser, or any other person or representative of any entity which holds a legal or equitable interest in any parcel.

Ownership means ownership of land which shall be deemed to exist from the center line of any abutting alley, to and including the curb and gutter areas of any abutting street of such lot or tract of land.

Weeds Cut or Removed means reducing the height of the nuisance weeds to four (4) inches or less.

Parcel includes both developed and undeveloped parcels.

Developed Parcel means any parcel of land that has been used or is being used for commercial or residential use with a principal structure covering over five percent (5%) of the parcel.

Undeveloped parcel of land means any parcel of land zoned for but not currently being used for commercial or residential use.

**SECTION 25-302.
DUTY TO REMOVE NUISANCE WEEDS.**

The existence of nuisance weeds in violation of this section constitutes a public nuisance.

Developed Parcel

It shall be the duty of every owner of a developed parcel to cut, or remove, or cause to be cut, or removed, all nuisance weeds in excess of twelve (12) inches in height growing



thereon and upon one-half of any road, street or alley abutting this property to a height of four (4) inches or less.

Undeveloped Parcel

It shall be the duty of every owner of an undeveloped parcel to cut, or remove, or cause to be cut, or removed, all nuisance weeds in excess of twelve (12) inches in height growing thereon and upon one-half of any road, street or alley abutting this property to a height of four (4) inches or less on property located within one hundred fifty (150) feet of any developed parcel, road or park.



Traffic Hazards

All nuisance weeds on any parcel shall also comply with and be subject to all requirements imposed under Section 27-615, B.M.C.C. concerning "Visibility at Intersections, Alleys and Drive Approaches."

City Property

The City Administrator shall designate responsibility for cutting or removal of nuisance weeds on City properties to the appropriate City Department(s).

**SECTION 25-303
NOTICE TO DESTROY**

The City Clerk or designee shall give notice to cut or remove nuisance weeds within the City limits by publishing notice to the public at least once each week for two (2) consecutive weeks in a newspaper of wide circulation within the City. The last publication shall not be less than seven (7) days prior to April 30th. Such notice shall, at a minimum, advise the public as follows:

1) That all owners of real property are responsible for cutting or removing all nuisance weeds in prohibited areas not later than April 30th of each year and to keep the areas free of weeds through September 30th of that year.

2) Failure to cut or remove the nuisance weeds may cause the city to remove the weeds and charge the cost thereof against the real property together with an administrative cost equal to twenty-five (25) percent of the cutting/removal cost and a penalty of twenty-five dollars (\$25.00) for the first time the city provides the cutting/removal, fifty dollars (\$50.00) for the second cutting/removal and seventy-five dollars (\$75.00) for the third and any subsequent times the city provides cutting/removal per calendar year.



PLEASE NOTE: Failure to pay this charge within thirty (30) days shall constitute a lien on this property and will be placed on the tax rolls as a special assessment.



Sec. 25-304. Failure to comply

Upon first failure, neglect or refusal to maintain the prohibited areas free from nuisance weeds during the prescribed period, the city shall give notice to the non-complying owner, agent or occupant thereof. Such notice shall provide at a minimum:

(1) That the non-complying owner, or agent thereof, shall be allowed ten (10) days from the date of notice of noncompliance to cut or remove nuisance weeds;

(2) That upon failure to comply the city may, by its own work forces or by contract, cause the weeds to be cut or removed and the cost thereof shall be assessed against the non-complying real property together with an additional administrative fee as set forth in Sec. 25-303(2).

(3) If the owner of any parcel continues to allow nuisance weeds to grow in violation of this article after the City has already cut or removed nuisance weeds at that same parcel during the preceding six (6) months, the city may at its sole discretion cut or remove the weeds again as needed without any additional notice to the owner. Charges as in Sec. 25-303(2), including penalty, will be assessed for each time the city cuts or removes the nuisance weeds;



(4) That the assessed amount together with costs and penalties shall constitute a lien on the non-complying real property and will be taxed as a special assessment against the real property.

A Municipal Infraction citation may also be issued for failure to comply. A civil penalty in addition to the penalties noted above may be assessed to the non-compliant owner.