

CHAPTER 3 WEEDS

4-3-1: DEFINITION:

The following shall be considered weeds and constitute a nuisance:

- A. Vegetation which by the determination of the fire department poses a fire hazard.
- B. Grasses, stubble, brush, tumbleweeds, clippings, and cuttings that endanger the public health and safety by creating:
 - 1. A fire hazard
 - 2. A breeding ground or habitation for insects, rodents or other vermin
 - 3. An obstruction of the public right-of-way
- C. Plants specified as noxious weeds in the Utah noxious weed act, Utah Code Annotated section 4-17-1 et seq. and any regulations promulgated under the Utah noxious weed act.
- D. The following shall not be considered weeds:
 - 1. Plants growing on a hillside with a slope of twenty five percent (25%) which are necessary to stabilize the hillside or to prevent erosion of the hillside.
 - 2. Vegetation that is maintained in its natural, undisturbed state in areas of open space within the city.
- E. For purposes of this chapter, Agriculture shall be defined as:
 - 1. The tilling of soil;
 - 2. The raising of crops, produce, horticulture, and gardening; and
 - 3. The keeping or grazing of domestic animals.

4-3-2: STANDARD OF WEED CONTROL:

Weeds shall be maintained at a height of not more than twelve inches (12") at all times and cuttings over three feet (3') in height must be promptly cleared and removed from the property.

- A. Weeds must be eradicated by chemicals, cutting or other acceptable means so that they do not exceed twelve inches (12") in height.
- B. Weeds that are rototilled, disked, or removed by the root must be buried under the soil, removed from the property or composted. Weeds may not be left in compost piles on vacant property.
- C. If a property exceeds five (5) acres in area or has difficulties in weed eradication due to topography and is not in close proximity to buildings or in a situation that does not create a fire hazard to surrounding properties, the property shall be maintained at a height of not more than twelve inches (12") for thirty (30) feet from all property lines, public right of ways, structure(s), utilities and 15 feet from all fire protection devices.
- D. Agricultural Use Of Property Exempt: The provisions of this chapter shall not apply to any property used for agricultural purposes, as defined herein, provided that such agricultural use is conducted in accordance with sound agricultural practices and does not violate any federal or state law regulating weed control.

4-3-3: NOTICE AND ABATEMENT:

Notice and abatement shall be as outlined in Section 4-2-5 of the Hurricane City Code, provided that the enforcement officer shall not be required to provide an owner more than one notice for the eradication of weeds in any calendar year.

4-3-4: PENALTY:

It shall be an Class C misdemeanor, subject to penalty as provided in Section 1-4-1 of this Code, for any person owning or occupying real property to allow weeds to grow higher on such property than is permitted by this Chapter or not to remove from such property any cuttings of such weeds or any refuse, unsightly or deleterious objects after having been given notice from the City. (1998 Code □ 10-321; amd. 2000 Code)