



## Noxious Weed Compliance & Nuisance Weed Abatement Notice

Dear Midway Property Owners:

This letter is to notify you of violations to the following City, County and State Codes, Ordinances and Polices. Each of these violations are considered a Class C Misdemeanor (Possible Jail Term /Up to 90 days in jail and a Possible Fine up to \$750.00).

Midway City Municipal Code: Title 5 Public Health and Safety (20160608) Chapter 5.04 Noxious Weed Control

### **Section 5.04.01 Adoption of Management Plan**

To comply with the Utah State Strategic Plan for management of noxious and invasive weeds, Midway City adopts the Wasatch County Noxious Weed Law Enforcement Procedures and the Coordinate Noxious Weed Management Plan for Wasatch County. Effective 3/14/2012

### **Section 5.04.02 Requirements**

An owner, agent or occupant of real estate within Midway City shall not permit or maintain any such real estate any growth of noxious weeds in violation of the Utah Noxious Weed Act, as said act may be amended from time to time.

Effective on the day of: 7/28/2010

### **Section 5.04.03**

Weeds shall include any vegetation commonly referred to as a weed, or which shall have been designated a noxious weed by the Utah Commissioner of Agriculture.

### **Section 5.04.04 Duty to Comply**

It shall be the duty of the owner, agent or occupant of real estate within Midway City to cut and remove or destroy by lawful means all such noxious weeds and grass as often as may be necessary to comply with the provisions of this chapter.

### **Section 5.04.05 Notice of Violation**

Upon discovering a parcel of real estate containing NOXIOUS WEEDS, THE City may give the owner, agent or occupant of the real estate a written notice to remove and eliminate the noxious weeds, pursuant to Chapter 2,14 of this Code. Effective date of 7/28/2010

### **Section 5.04.06 Failure to Comply**

Pursuant to Utah Code Section 4-17-8, as amended from time to time, if the owner or person in possession of the property fails to act to control or prevent the spread of noxious weeds within five working days after the property is declared a public nuisance Midway City will give a copy of the notice of the notice of violation to Wasatch County for enforcement and further pending actions.

### **Section 5.02.090 (Nuisance Weeds).**

Declaration of Policy. The accumulation of junk, rubbish, and debris, and grass, weeds, shrubs, bushes or trees which are growing or which have grown and died, facilitates rodent, pest and vermin harborage, compromise public health resulting from the dangerous and unsanitary conditions, and constitutes a fire hazard and threat to public safety and the general welfare. Effective date of 7/28/2010

Weed abatement compliance shall be accomplished upon approval by the City by discing, plowing, or mowing weeds within eight inches of ground height. Weeds are to be maintained less than eight inches in height throughout the growing season.

The City may inspect properties within the city and identify those needing weed abatement and then serve notice in writing upon the owner and/or occupant of such land pursuant to chapter 2.14 of this code. This notice shall require the owner and/or occupant, to abate the weeds by a specific time pursuant to chapter 2.14 of this code. One notice shall be deemed sufficient on any lot or parcel for an entire year. Effective date: 7/28/2010.

It shall be a Class C Misdemeanor violation for any owner or occupant of lands described herein to fail or neglect to conform to the requirements herof relating to the eradication or destruction or removal of accumulated weeds and shall be punishable both by the imposition of civil remedies as provided in this code and by criminal sanctions.

All Municipal Ordinances may be reviewed on line at [midwaycityut.org](http://midwaycityut.org) home page.

Midway City Public Works Dept.

75 North 100 West, Midway Utah 84049. (Landline:435-654-3223) x7 Email: [sowens@midwaycityut.org](mailto:sowens@midwaycityut.org)

R. Shane Owens, Public Works Admin. Lead

Office Hours: Monday thru Thursday ( 7:30 am to 5:30 pm ) Friday (8:00 am to 12:00 pm) Closed Saturday, Sunday & Holidays.