

Section 1407 – Regulating Growth of Grass and Weeds

1407.01 Cutting of Grass and Weeds. It is unlawful for the owner and/or occupant or agent of the owner of any lot or parcel of land in the City of Brainerd to violate the following maintenance standard concerning the growth of grass and weeds.

1407.03 Maintenance Standard. All grasses and weeds must not exceed a height of 6 inches including grasses and weeds within the street right-of-way, measured from the base at ground level to the tip of each stalk, stem, blade or leaf. This requirement, however, does not apply to the following:

- 1) A wetland or floodplain designated on the official Zoning Map.
- 2) A drainage pond or ditch which stores or conveys stormwater.
- 3) An area currently being used as pasture land.
- 4) Undeveloped land over 1 acre in size that is contiguously situated and is owned by the same entity, unless said undeveloped property is located directly adjacent to property that contains a home. In the case that a home is located adjacent to such undeveloped property, weeds and grass must be mowed to within 100 feet of the property that contains a home in compliance with this Section.
- 5) Undeveloped land that is predominantly wooded.

Broad leaf weeds including but not limited to Plaintains (*Plantago major* L.), Creeping Charlie (*Glechoma hederacea* L.) and Knotweed (*Polygonum avicular* L.) shall not be allowed to mature to the seeding stage or allowed to spread by underground root stalks and creeping stems.

(Amended Ord. 1156 – 2002, Ord. 1174 – 2002, Ord. 1326 – 2008)

1407.05 Notice and Assessment. If such owner or agent fails to comply with said height limitation or weed eradication, after notice to him or her by personal delivery service or certified mail, has not within 5 days of the receipt of such notice complied therewith, the City of Brainerd, shall cause such grass and/or weeds to be cut, or broadleaf weeds to be sprayed, and the expense thereof shall be billed to the property owner and shall constitute a lien upon such realty. Such notice shall serve as the only notice to the owner or agent for the growing season. Repeat offenses will be abated by the City of Brainerd and the expense thereof shall be billed to the property owner. In the event of non-payment, such amount, plus interest, shall be certified to the Crow Wing County Auditor for collection as other special taxes.

(Amended Ord. 1156 – 2002, 1332 - 2009)

1407.07 Appeal. Any person aggrieved by an Order from the City of Brainerd to cut grass and/or weeds on his or her property may appeal same to the City of Brainerd by filing a written request for a hearing with the City Engineer's office within 5 days following service of the notice to cut. The Council shall hear the appeal after advising the appellant of the date, time and place of such meeting and shall thereafter render its decision.

1407.09 Penalty. Subdivision 1. Any person violating this Ordinance shall be guilty of a petty misdemeanor in accordance with a fine schedule established by Council resolution.

Subd. 2. Failure to pay fine or abate violation shall be a misdemeanor.

(Amended Ord. 1156 – 2002)

(Added Ord. 975 – 1994)