

## **INTERNATIONAL PROPERTY MAINTENANCE CODE:**

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of [Section 302.4. Insert: Allowable height of grass shall be 6" (inches) in developed Residential, Commercial and Industrial zoned districts. Allowable height of grass shall be 12" (inches) in undeveloped Residential, Commercial and Industrial zoned districts.] All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flower and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contactor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

[SEE ORDINANCE NO. 303, ADOPTED 12/11/07]

## ORDINANCE NO. 303

### AN ORDINANCE FOR ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE REPEALING OF CHAPTERS 145 DANGEROUS BUILDINGS, CHAPTER 152 BUILDING CODE , SECTION 50.02(9) AND CHAPTER 153 RENTAL HOUSING CODE OF HAMPTON MUNICIPAL CODE

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF HAMPTON, IOWA:

An ordinance of the City of Hampton, Iowa adopting the 2006 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Hampton; providing for the issuance of permits and collection of fees therefore; repealing Section 50.02(9), Chapter 145 Dangerous Buildings, Chapter 152 Building Code and Chapter 153 Rental Housing Code of the Municipal Code of Hampton and all other ordinances and parts of the ordinances in conflict therewith.

The City Council of the City of Hampton does ordain as follows:

**Section 1.** That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Hampton, being marked and designated as the *International Property Maintenance Code*, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Hampton, in the State of Iowa for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Hampton are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections of the adopted International Property Maintenance Code, 2006 are hereby revised:

Section 101.1. Insert: City of Hampton

Section 103.5. Insert: See related fee schedule in "Rules and Procedures"

Section 302.4. Insert: Allowable height of grass shall be 6" (inches) in developed Residential, Commercial and Industrial zoned districts. Allowable height of grass shall be 12" (inches) in undeveloped Residential, Commercial and Industrial zoned districts.

Section 304.14. Insert: March through November

Section 602.3. Insert: January through December

Section 602.4. Insert: January through December

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**Section 3.** That Section 50.02(9) of Chapter 50, Chapter 145 Dangerous Buildings, Chapter 152 Building Code and Chapter 153 Rental Housing Code of Municipal Code of Hampton and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Hampton City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the Hampton City Clerk is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect upon publication in the Hampton Chronicle.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HAMPTON, IOWA, ON THIS 11TH. DAY OF DECEMBER, 2007.**

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Diane Weldin, Mayor

**ATTEST:**

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Ronald Dunt, City Manager

I hereby certify that the foregoing was published as Ordinance No. 303 in the Hampton Chronicle on the 19th. day of December, 2007.

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Ronald Dunt, City Manager