

## **Chapter 40**

### **Weeds and Grass**

#### **Section 40-1 Nuisance declared.**

All weeds or plants declared to be primary noxious weeds or secondary noxious weeds by the State Weed Board and all other weeds suffered or allowed to grow during the growing season and all grass allowed to grow to a length exceeding seven (7) inches shall be deemed noxious, dangerous, and unhealthful vegetation and are hereby declared to be nuisances.

#### **Section 40-2 Duty to cut, curb, or grub weeds and grass.**

It shall be the duty of the owner or holder of any lots, parcel of ground or piece of land, or any grass plot or lawn in front of the same, within the city, on which any such weeds or grass exceeding seven (7) inches at any time shall be growing, to cut such grass or prevent the growth of such noxious vegetation and to cut, curb or grub the same as hereinafter provided.

#### **Section 40-3 Notice to cut, curb, or grub weeds or grass.**

If any owner or holder, of any lot, parcel of ground or piece of land, or any grass plot or lawn in front of the same, within the city shall fail or neglect to cut, curb or grub any grass or noxious weeds, the mayor may by proper notice to any such person require all noxious weeds and vegetation to be cut, curbed or grubbed by giving a general notice to property owners to destroy such weeds. General notice may be given by the finance officer by publication once a week for two successive weeks in the official newspaper of the city. (SDCL 9-38-28)

#### **Section 40-4 Destruction of weeds or grass cut by the city.**

Should the owner of any lot, parcel of ground or piece of land, or any grass plot or lawn in front of the same, within the city fail to cause such weeds to be destroyed within two days after the last publication of said notice, the city council may cause the same to be done. The expense thereof shall be certified by the finance officer, and the same be levied as a special assessment against the property upon which such weeds were destroyed or grass cut, and when collected, shall be transferred into the general fund of the city. (SDCL 9-38-29)