

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 257

February 12, 1947.
Cities and Towns.

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A BILL FOR

An Act authorizing the destruction and eradication of weeds and grasses in cities of the first class, and special charter cities, and assessment of the cost thereof, and prescribing notices therefor, and granting additional power and authority to be exercised by the city council of any such city.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Notwithstanding any other statutory
2 provision for the destruction of weeds, the city council
3 of any city of the first class and any special charter
4 city may have and exercise the following power and
5 authority:
6 In cities of the first class it shall be the duty
7 of each owner and each person in the possession or control
8 of any real estate, including railroad lands, to cut,
9 burn or otherwise destroy any weeds or grasses on said
10 real estate or on the streets, upon which said real estate
11 abuts, that substantially interfere with or obstruct the
12 ordinary use of any street or sidewalk upon which said
13 real estate abuts, or that become a nuisance or a menace
14 to the health or safety of the residents of any portion

15 of said city.

1 Sec. 2. The city council of such city shall,
2 between the first and fifteenth of June and the fifteenth
3 and thirty-first of August of each year, by resolution,
4 order that all such weeds and grasses as substantially
5 interfere with or obstruct the ordinary use of streets
6 or sidewalks or that become a nuisance or menace to the
7 health or safety of the residents of any portion of such
8 city, shall be cut, burned or otherwise destroyed, and
9 shall publish a notice fixing the time and manner of
10 destruction. Such notice shall be published in one issue
11 of a local newspaper of general circulation at least
12 ten days prior to the time fixed for the destruction of
13 such weeds and grasses.

1 Sec. 3. In event of the failure of the owner or
2 person in possession or control of any land, to cut, burn
3 or otherwise destroy such weeds or grasses; both on such
4 land, or on the street upon which such land abuts, in
5 the manner and within the time specified in such notice,
6 then the city may enter upon such land and cut, burn or
7 otherwise destroy such weeds and grasses and advance the
8 cost therefor from the general or grading fund, and assess
9 the total cost of such destruction upon the land from
10 which such weeds or grasses were cut, burned or otherwise
11 destroyed, or upon the land abutting the street or streets
12 upon which such weeds or grasses were cut, burned or other-

13 wise destroyed.

1 Sec. 4. Before the assessment for the cost
2 of the destruction of said weeds and grasses is made
3 by the council, notice thereof shall be given by two
4 publications in a newspaper of general circulation at
5 least fifteen days before the approval of said assess-
6 ment.

1 Sec. 5. All laws or parts of laws in conflict
2 herewith are hereby repealed.

EXPLANATION OF H. F. 257

The present law took the weed cutting authority from the cities and gave it to the counties. Outside of Polk county a large majority of the counties are not attempting to cut the weeds in cities and towns. Therefore, the counties do not cut the weeds in cities and towns and cities have no right to cut them and assess the property owners. There is no authority in cities to require abutting property owners to cut the weeds. No distinction should be made between noxious and non-noxious weeds. Weeds in cities constitute an obstruction to traffic and view and constitute a safety and health nuisance. Cities should be granted the authority to compel property owners to keep the weeds cut on their property and on streets on which their properties abut.