ORDINANCE NO. 878

AN ORDINANCE declaring certain trees, weeds, vegetation and horticultural growths to be public nuisances, and requiring abatement; prescribing penalties; providing methods for enforcement and for collecting the cost of abatement and removal if done by the City; and repealing Ordinance No. 301.

THE CITY COUNCIL OF THE CITY OF KMT DO ORDAIN as follows:

SECTION 1. Trees, plants, shrubs or vegetation or parts thereof which so overhang any sidewalk or street or which are growing therein in such manner as to obstruct or impair the free and full use of the sidewalk or street by the public are public nuisances. Grass, weeds, shrubs, bushes, trees or vegetation growing or which have grown or died upon any property and are a fire hazard or a menace to public health, safety or welfare are likewise public nuisances. It is the duty of the owner of the property wherein or whem any such nuisances exist to abate the nuisance by destroying, removing, or trimming the growth.

SECTION 2. The failure or refusal to comply with any of the provisions of Section 1 hereof, shall subject the offender to a fine not exceeding $100.00 or imprisonment in the City Jail for not exceeding thirty (30) days, or to both such fine and imprisonment.

SECTION 3. The City Engineer shall enforce this Ordinance and if any property owner fails or refuses to abate any such nuisance as contemplated by Section 1 hereof the City Council may, after report filed by the City Engineer, by resolution, require such property owner in addition or alternative to the penalty prescribed by Section 2 hereof to abate the nuisance by removal or destruction at his cost and expense within a time specified in the resolution; and if the removal or destruction is not made by such owner within the time specified the City Engineer may abate the same as provided in Section 5 of this Ordinance.

SECTION 4. The resolution mentioned in Section 3 hereof shall not be passed until the property owner is given at least (5) five
days' notice of the pendency of the proposed resolution; such notice shall be given by the City Engineer by mailing a copy of the notice to the owner as shown upon the records of the County Treasurer, and at the address shown thereon; and if no owner and address is shown on such records, a copy of the notice shall be posted upon the property and shall also be published in one (1) issue of the official newspaper. The mailing, posting and publication shall be made at least five (5) days before the resolution is adopted, and proof shall be made by affidavit of the City Engineer filed with the City Clerk. The notice shall include the resolution number and both shall describe the property involved and the nature of the hazardous condition constituting the nuisance.

SECTION 5. If the nuisance is not abated by removal or destruction by the property owner within the time fixed in the resolution, the City Engineer may abate the same, and he shall render a bill covering the cost to the City of such abatement, including the Engineer's expense, and mail the bill to the property owner. If the property owner fails or refuses to pay the bill immediately, or if no bill is rendered because he cannot be found, the City Engineer in the name of the City may file a lien therefor against said property, which lien shall be in the same form, filed with the same officer, and within the same time and manner and enforced and foreclosed as is provided by law for liens for labor and material.

SECTION 6. This Ordinance is enacted pursuant to the authority granted by Chapter 113, Laws of Washington, 1949 (R.C.W. 35.21.310)

SECTION 7. Ordinance No. 301 of the City of Kent is hereby repealed.

SECTION 8. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication as
provided by law.

Attest: 
City Clerk

Approved as to form:

City Attorney

Passed the 17th day of May, 1954
Approved the 18th day of May, 1954
Published the 20th day of May, 1954.
Weed Control

SEC. AMENDED
BY ORD. 881

Speed Control
Repealing Ord. 301

Repealed by Ord. 1970