

**ORDINANCE NO. 20, 2022**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA  
AMENDING SECTION 93.15 and Section 154.02 (302.4) OF THE VALPARAISO MUNICIPAL  
CODE**

**WHEREAS**, the Valparaiso City Council previously adopted Section 93.15 of the Municipal Code concerning the Removal of Vegetation;

**WHEREAS**, subsequent to its adoption, the City Council desires to make certain changes to Section 93.15 and void Section 154.02 (302.4) to be consistent with Indiana Code §36-7-10.1 et seq.

**WHEREAS**, Indiana Code §36-7-10.1 et seq. allows for the legislative body of a municipality to require the owners of real property located within the municipality to cut and remove excessively tall grass, weeds and other rank vegetation growing on the property.

**WHEREAS**, the Valparaiso City Council finds the allowance of excessively tall grass, weeds and other rank vegetation to be a public nuisance.

**WHEREAS**, the purpose of this Ordinance is to regulate and control the growth and require the cutting and/or removal of excessively tall grass, weeds and other rank vegetation on all parcels of real estate within City limits.

**NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED** by the Common Council of the City of Valparaiso, Indiana, as follows:

*Section 1.* That ordinance 93.15 of the Municipal Code of the City of Valparaiso, Indiana, shall be amended to read as follows:

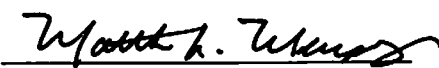
**§93.15 Removal of Excessively Tall Grass, Weeds and Other Rank Vegetation**

- a) All owners of real property within the City are required to cut and/or remove any and all excessively tall grass, weeds, and other rank vegetation growing upon their property when growth exceeds 6 inches.
  - 1) Excessively Tall Grass, Weeds and Other Rank Vegetation shall mean any plant or other natural growth exceeding 6 inches in height. The term shall also include “detrimental plants” as defined under Indiana Code §15-16-8-1. Trees, shrubberies, flowers, ornamental grasses, and agricultural crops are not to be considered rank vegetation.
- b) The City’s Building Department shall be responsible for the administration of this ordinance.
- c) A four-day written notice to cut and/or remove all excessively tall grass, weeds, and other rank vegetation shall be issued by the Building department. Such notice shall be posted in a prominent place on the property.
- d) If a property owner fails to remove such excessively tall grass, weeds, and other rank vegetation described within the time prescribed in subsection (c), the Building department may provide for the removal of such and the City’s Building Department shall make a certified bill of the cost(s) incurred by the city in such removal including administrative and other related costs. Such bill shall be mailed to the property owner at the last address of the owner as indicated in the records of the County Auditor. Such property owner shall have ten (10) days to pay such amount to the clerk-treasurer.
- e) A property owner may appeal a notice of violation or a bill issued under this section by filing a written notice of appeal with the Building department within ten days of the receipt of the notice of violation or bill. The appeal shall be heard by the Board of Public Works and Safety within thirty (30) days after the notice of appeal is received.
- f) If a property owner fails to pay or appeal such sum specified in subsection (d) within the time prescribed, a certified copy of the bill of costs shall be filed in the office of the Porter County Auditor and the Auditor’s office shall place the amount so claimed on the tax duplicate for the property affected by such work and the total amount including any accrued interest shall be collected as delinquent taxes are collected, and shall be disbursed to the LIT Fund of the city.

**Section 2. Conflicting Ordinances.** Any ordinance or provision of any ordinance of the City of Valparaiso, Indiana, in conflict with the provisions of this Ordinance is hereby modified to reflect the provisions of this Ordinance.

**Section 3. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval by the Mayor of the City of Valparaiso and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Valparaiso, Porter County, Indiana, by a 7-0 vote of all members present and voting, this 12<sup>th</sup> day of ~~August~~ September, 2022. (17)

  
Matthew R. Murphy, Mayor

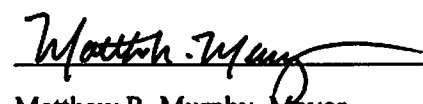
ATTEST:

  
Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 12<sup>th</sup> day of September, 2022 at the hour of 7:28 o'clock P.M.

  
Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this 12<sup>th</sup> day of September, 2022 at the hour of 7:28 o'clock P. M.

  
Matthew R. Murphy, Mayor