

**ORDINANCE NO.1001**

**AN ORDINANCE OF THE CITY OF WILLISTON AMENDING SECTIONS 5-286 AND 5-287 OF THE WILLISTON CODE OF ORDINANCES TO AMEND THE PROVISIONS OF THE ORDINANCE, ADD AN ADMINISTRATIVE FEE AND CHANGE THE PENALTY CLAUSE TO THE ORDINANCE.**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

**Section 5-286. Action upon noncompliance.**

Upon the failure, neglect or refusal of any owner or agent so notified to mow and/or cut, destroy and remove noxious weeds growing, lying or located upon the owner's property or upon the one-half (1/2) of any road or street lying next to the lands or boulevards abutting thereon, after contact and notice provided for by this article, or within five (5) days after the date of any letter containing such notice is returned to the city because of inability to make delivery thereof, provided the letter was properly addressed to the last known address of such owner or agent, or if the weed and mowing control officer is unable to contact the owner or agent by telephone after reasonable effort, the weed and mowing control officer may pay for the cutting, destroying and removal of such noxious weeds or order their removal by the city. In the event the noxious weeds cannot be effectively cut, destroyed or removed or the lot mowed because of an accumulation of junk, rubble, debris or other matter upon the property, the weed and mowing control officer may arrange for the removal of the junk, rubble, debris or matter in order to place the property in a condition which will allow the effective removal of the noxious weeds. (Ord. No. 634, 5-22-84; Ord. No. 882, 6-28-05)

**Section 5-287. Penalties.**

The minimum administrative penalty for violation of this section shall be a fee of \$250.00. In addition, when the city has effected the mowing and/or removal of noxious weeds or has paid for their removal, the actual cost thereof, including the administrative fee and any necessary costs for placing the property in a condition to allow the effective mowing and/or removal of the noxious weeds, if not paid by said owner prior thereto, shall be charged and assessed against the property upon which the grasses were mowed and/or the noxious weeds were cut or destroyed. An assessment list showing the lots or tracts to be assessed with the cost against each lot or tract shall be prepared as are other special assessment lists, and shall be approved by the city commission. Such assessments shall be subject to the same procedure for certification to the county auditor, payment and collection as are other special assessments under state law. (Ord. No. 634, 5-22-84; Ord. No. 882, 6-28-05)

Commissioner Bekkedahl moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner Brostuen. On roll call vote of the Commissioners vote "AYE": Brostuen, Bekkedahl, Piesik, Cymbaluk and Klug; and the following Commissioners voted "NAY": None. Absent and not voting: None.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this 9<sup>th</sup> day of September, 2014.

  
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**John Kautzman**, City Auditor

  
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**Howard Klug**, President  
Board of City Commissioners

First Reading: August 26, 2014  
Second Reading: September 9, 2014  
Published: October 13, 2014  
Adopted the 9th day of September, 2014.