

TO AMEND VARIOUS SECTIONS OF CHAPTER 6.06 OF THE BLOOMINGTON MUNICIPAL  
CODE REGARDING PROCEDURES FOR REFUSE AND WEED REMOVAL

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 6.06.050 entitled "Removal notice" shall be amended to read as follows:

6.06.050 Removal Notice. Whenever the chief of police finds refuse, weeds, or other rank vegetation on property within the city that is of such a character or to such an extent as to be injurious to the public health or comfort of the residents of the city, he shall notify the controller who shall issue a ten-day written notice to remove the refuse or vegetation. Such notice shall be served by a police officer upon the occupant and upon the landowner if he is a resident of the city, or by registered mail addressed to his last known address if he is a nonresident.

SECTION II. Section 6.06.060, entitled "Failure to remove", shall be amended to read as follows:

6.06.060 Failure to remove. If the landowner fails to remove the refuse or vegetation within ten days of the date of the notice, or fails to pursue an appeal pursuant to this Chapter, the city or its agent may remove it. The controller shall make a certified statement of the actual cost incurred by the city for the removal, and the statement shall be delivered to the owner of the property by a police officer or by registered mail, and the owner shall pay the amount to the controller.

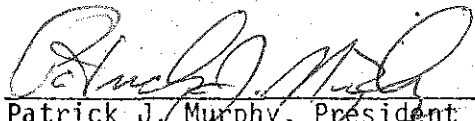
SECTION III. Section 6.06.080 shall be amended to read as follows:

6.06.080 Appeal of Removal Notice. An appeal of the written Removal Notice must be made in writing, within ten days of the date of the Removal Notice to the Board of Public Works, which shall set the matter for hearing and following the hearing shall issue its written findings. All appeals from written findings of the Board shall be made to Courts of competent jurisdiction within ten days.

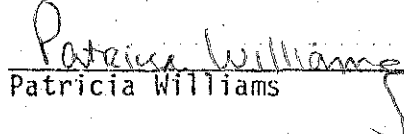
SECTION IV. Severability. If any section of this ordinance or any part of any section shall be declared invalid or unconstitutional such declaration shall not affect the validity of constitutionality of the remaining portions.

SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 17 day of November, 1982.

  
Patrick J. Murphy, President  
Bloomington Common Council

ATTEST:

  
Patricia Williams

PRESENTED by me to the Mayor of the City of Bloomington, Monroe  
County, Indiana upon this 18 day of November, 1982.

Patricia Williams  
Patricia Williams, City Clerk

SIGNED and APPROVED by me upon this 19 day of November, 1982.

Francis X. McCloskey  
Francis X. McCloskey, Mayor  
City of Bloomington.

#### SYNOPSIS

This ordinance adds a definition of the word "Weed", extends the notice provisions, and provides an appeal process under Chapter 6.06 of the Bloomington Municipal Code entitled "Refuse and Weeds".