

ORDINANCE NO. 66-31

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF BLOOMINGTON, INDIANA, 1957, BY AMENDING CHAPTER 13, ENTITLED "GARBAGE, RUBBISH AND WEEDS," BY AMENDING SECTION 5 THEREOF ENTITLED "EXCESSIVE GROWTH PROHIBITED;" SECTION 6 THEREOF ENTITLED "INSPECTIONS;" SECTION 7 THEREOF ENTITLED "ORDER OF REMOVAL AND RECORD THEREOF;" SECTION 8 THEREOF ENTITLED "NOTICE TO REMOVE - GENERALLY;" SECTION 9 THEREOF ENTITLED "NOTICE TO REMOVE - SERVICE AND RETURN;" SECTION 10 THEREOF ENTITLED "REMOVAL BY CITY - GENERALLY;" AND SECTION 11 THEREOF ENTITLED "REMOVAL BY CITY - COSTS."

Be it ordained by the Common Council of the City of Bloomington, Indiana:

Section 1. That Section 5 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be amended to read as follows:

It shall be unlawful for the owner of any lot or tract of ground within the city to allow the same to become overgrown with weeds or noxious plants to such an extent that such growth is detrimental to the public health.

Section 2. That Section 6 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be amended to read as follows:

It shall be the duty of the chief of police to make a careful examination upon request, of any lots, grounds and tracts of land situated within the corporate limits of the city for the purpose of determining whether or not weeds or noxious plants have been permitted to grow thereon, or any garbage, rubbish, trash, or refuse has been deposited thereon, of a character or to such an extent that such is or is about to become injurious to the health or comfort of the citizens of the city.

Section 3. That Section 7 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be amended to read as follows:

Whenever the chief of police discovers any lot, grounds, or tract of land within the city upon which weeds or noxious plants have been permitted to grow, or upon which garbage, refuse, or trash has been deposited of a character or to such an extent as to be or about to become injurious to the public health or comfort of the citizens of the city, the chief of police shall order such weeds or noxious plants destroyed and removed and such garbage, trash, or refuse removed from such lot, grounds, or tract of land. The decision of the chief of police shall in all cases be reduced to writing and kept of record in the office of such chief of police, which record shall show the name of the owner and the location of such lot, grounds, or tract of land.

Section 4. That Section 8 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be amended to read as follows:

The Chief of police shall serve by registered mail or cause to be served through the police department of the city upon the owner of any lot or tract of ground concerning which an order has been made under the preceding sections or upon the agent representing such owner, a written notice, directing that the weeds and noxious plants growing upon such lot or tract of ground be cut and burned or otherwise removed therefrom, or garbage, trash or refuse be removed.

Section 5. That Section 9 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be repealed.

Section 6. That Section 10 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be amended to read as follows:

If the owner of any lot, grounds, or tract of land, or his agent upon whom the notice required by Section 13-8 of this Code, has been served fails to remove the weeds or noxious plants or garbage, trash or refuse as is required in such notice, within seven days from the time of its service, the chief of police shall order that the same be done by the sanitary department of the city, which shall at once proceed to cut and destroy or remove such weeds and noxious plants and to remove such garbage, trash, or refuse.

Section 7. That Section 11 of Chapter 13 of the Municipal Code of the City of Bloomington, Indiana, 1957, be amended to read as follows:

When the sanitary department cuts and destroys weeds and noxious plants or removes garbage, trash or refuse as provided under the preceding section, it shall report the cost thereof to the city attorney. In all cases where the owner of the lot or tract of land shall fail or refuse to pay for cutting and destroying such weeds and noxious plants, the city shall pay for the same out of the appropriation made for such use. In all cases where the owner so fails or refuses to pay the costs of cutting and destroying such weeds and noxious plants and fails or refuses to reimburse the city for such costs when the same have been paid by the city, the city attorney shall, on the first Monday of September following, certify to the city controller all such costs as remain unpaid by the owner and the controller shall certify the same to the county auditor, who shall place the same upon the tax duplicate of the city for the year in which such costs have been incurred, as a charge against the owner of such lot or tract of ground, which cost shall be a lien upon such lot or tract of ground, and shall be collected by the county treasurer with the state, county and municipal taxes assessed against such lot or tract of ground at the regular time for paying such taxes in the May following the cutting and removal of such weeds or the removal of such garbage, trash or refuse.

Section 8. This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the law.

PASSED AND ADOPTED BY THE COMMON COUNCIL of the City of
Bloomington, Indiana, upon this 21st day of July, 1966.


Charles J. Faris, Presiding Officer

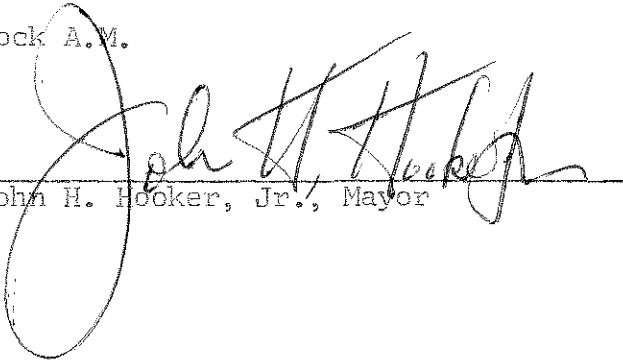
ATTEST:


Marian Tardy, City Clerk

Presented by me to the Mayor of the City of Bloomington upon the
27th day of July, 1966, at the hour of 9:00 o'clock A.M.


Marian Tardy, City Clerk

This Ordinance Approved and signed by me upon the 30th day of
July, 1966, at the hour of 10 o'clock A.M.


John H. Hooker, Jr., Mayor