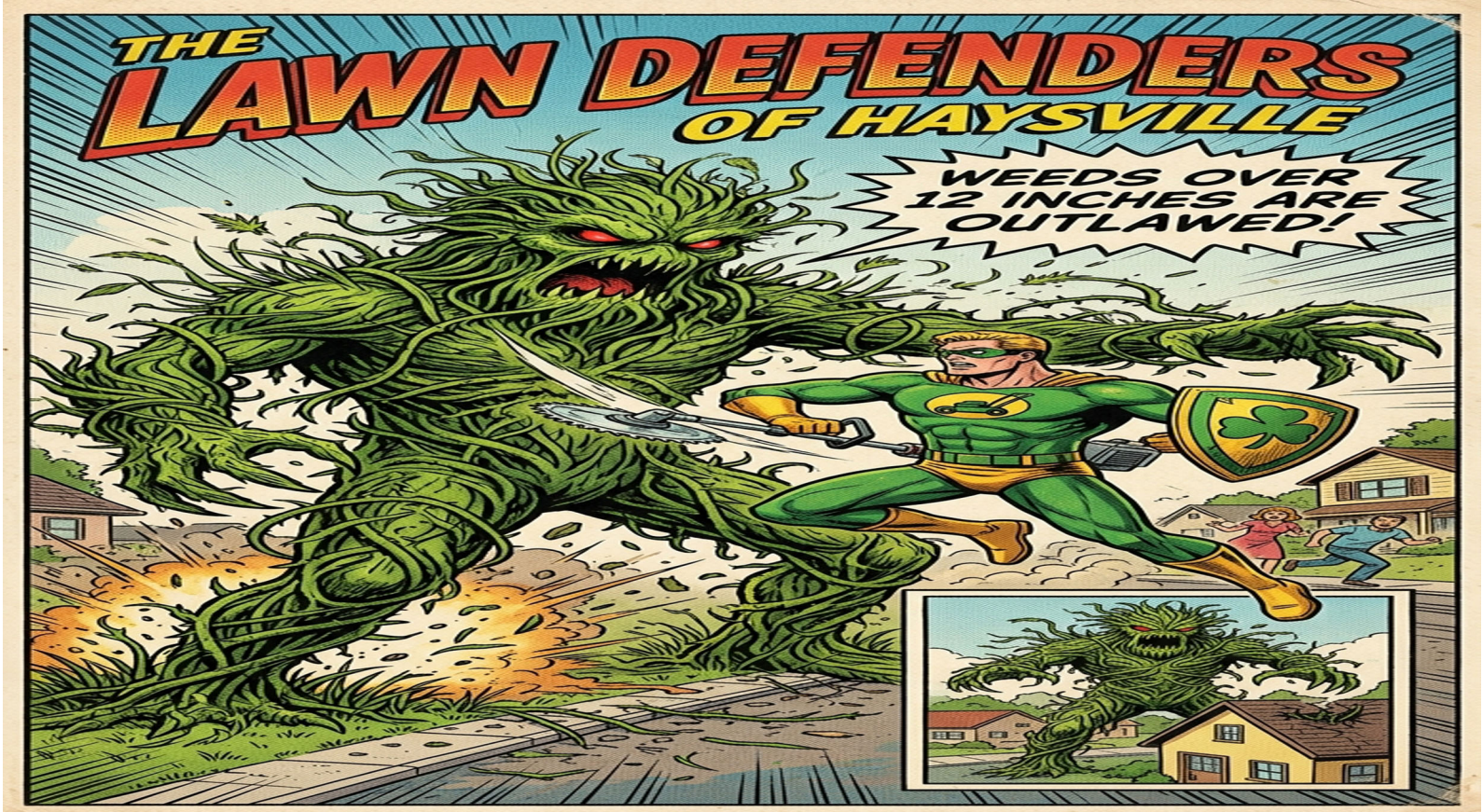




TALL WEEDS/GRASS?

The City of Haysville requires the owner, agent, tenant or other occupant to maintain all premises, to include easement(s), free of weeds and grass in excess of twelve inches (12") on residential and commercial properties and eighteen inches (18") if there are no dwellings or if the property is actively being cultivated for agricultural purposes.

REPORTING?

To report overgrown weeds/grass call Haysville Code Enforcement at 316-529-5940 or visit the City's website at:

HTTPS://WWW.HAYSVILLE-KS.COM/CODE-ENFORCEMENT

You can also "Report an Issue" on the City's website.

BENEFITS

Improved safety
Pest and insect control
Increased property values
Cost savings
Reduce erosion
Accessibility
Lawn health
Enhances community

CODE ENFORCEMENT 401 SOUTH JANE, HAYSVILLE, KANSAS 67060 316-529-5940

8-601. Weeds to be removed.

It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charge or control of any property or premises to permit weeds as hereinafter defined to exist or remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley including, but not limited to, sidewalks, streets, alleys, easements, rights-of-way and all other public or private areas. All weeds are hereby declared a nuisance and are subject to abatement as provided in this article. Any person violating this section shall be guilty of a violation of this article and shall be subject to such fines and penalties as provided for in this article. (Ord. 670; Ord. 710; Ord. 724; Ord. 743; Ord. 812; Ord. 855)

8-602. Weeds defined; prohibited from causing blight or adverse impact.

For the purposes of this article, Weeds means any of the following:
(a) Brush and woody vines, rank grass, uncultivated plants, and unmaintained vegetation shall be classified as weeds;
(b) Weeds and grasses which may attain such growth as to become a fire menace to adjacent property;
(c) Weeds which bear or may bear seeds of a downy or wingy nature;
(d) Weeds and grasses which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which may or does constitute a menace to health, public safety or welfare;
(e) Weeds and indigenous grasses which, because of their height, have a blighting influence on neighboring property or properties. Any such weeds and indigenous grasses shall be presumed to be blighting if the exceed eighteen inches in height, except when part of an approved indigenous grass planting.
(f) Weeds as defined above growing on lots 1) upon which no dwelling is located or associated and 2) which are not actively being cultivated for agricultural purposes, as defined in K.S.A. 2-3201 et seq., shall be presumed to be blighting if they exceed eighteen inches in height; areas of easement located between sidewalks and roadways shall not exceed twelve (12) inches in height, except that areas for subdivision developments under construction may be authorized to the City by the project developer for approval by the Director of Public Works. Such maintenance plans shall be considered for approval if appropriate for specific area and construction timeline of the project. The City may require modification of the maintenance plan at any time to conform to changing environmental and other conditions.
(g) The owner, or lessee, of any large lot which is mowed to preserve grasses and weeds for animal feed purposes (prairie hay) shall notify the City of such intentions, and provide the office of the City Clerk a mowing schedule for such lot. Failure to cut grasses and weeds upon such lot in conformance with the mowing schedule provided shall result in a substantial adverse effect on the public health and safety as set forth in (b) or (d) above, and shall result in a notice to remove as described in this article. (Ord. 670; Ord. 710; Ord. 724; Ord. 743; Ord. 812; Ord. 855; Ord. 955; Code 2011)

8-605. Enforcing officer; duties; notice to remove.

The enforcing officer shall provide, once per calendar year, written notice to the owner, occupant or agent in charge of any premises in the city upon which weeds exist in violation of this article. Such notice shall be served upon such owner, occupant or agent in charge by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, such notice shall be sent by certified mail, return receipt requested, to the last known address of the owner, and such notice shall be published once in the official city newspaper. Every such notice shall include the following information:
(a) Specific notice that the owner, occupant or agent in charge of the property is in violation of this article.
(b) An order directing the owner, occupant or agent in charge of the property to cut the weeds within five days of the receipt of this notice;
(c) Notice that the owner, occupant, or agent in charge of the property may appeal the notice by requesting, within five (5) days of receipt of the notice in a written notice of appeal directed to the governing body and sent to the city clerk, a hearing before the governing body or its designated representative;
(d) Notice that if the owner, occupant, or agent in charge of the property fails to cut the weeds within five days of receipt of notice, the city may proceed to cut such weeds and assess the cost of the cutting, including any reasonable administrative fee, against the owner, occupant or agent in charge of the property;

(e) Notice that the owner, occupant, or agent in charge of the property shall be provided an opportunity to pay the assessment and, if the assessment is not paid, the city shall levy an assessment to such property as a special assessment as provided by this article.
(f) Notice that no further notice shall be given prior to removal of weeds during the current calendar year; and.
(g) Notice that the enforcing officer should be contacted if there are any questions regarding the order.
Notwithstanding the foregoing, notices required by this article which may be served upon tenants shall also be served upon the owner.
Where occur a change in the record owner of title to property subsequent to the giving of notice pursuant to this section, the city may not recover any costs or levy an assessment for costs of cutting or destroying weeds on such property unless the new record owner of title to such property is provided notice as required by this article. (Ord. 409, Sec. 2; Code 1984; Ord. 670; Ord. 710; Ord. 724; Ord. 743; Ord. 812; Ord. 855)

8-606. Abatement; assessment of costs.

(a) If within five (5) days after receipt of the notice required by this article the owner, occupant or agent in charge of the premises neglects or fails to comply with the directives contained in the notice provided for in this article, and such owner, occupant or agent in charge fails to timely file a notice of appeal as provided in section 8-605(c), the enforcing officer or other employee designated by the governing body may cause the weeds to be removed or destroyed during the current calendar year. The City and/or any authorized contractor shall not be responsible for damage to property due to reasonable methods of gaining entrance onto the property.
If the property owner is a nonresident, abatement shall take place either five days following the date of receipt provided on the return receipt of mailing, or ten days following the date of publication in the City's newspaper, whichever date is first.
(b) The cost of such work and all costs incidental to the work done by the enforcing officer pursuant to or incidental to sections 8-605 and 8-606 shall be reported in detail and in writing by said officer to the city clerk. The city clerk shall keep an account of such costs, as well as any and all costs of notices, service and/or mailing of notices and publication of notices required by this article. The enforcing officer shall immediately cause the reportings and accountings required by this section to be entered in the appropriate city records and shall report the same to the governing body.
(c) The city clerk shall, within ten (10) days of receipt of the enforcing officer's report of costs, give notice by certified mail to the owner, occupant or agent in charge of the property upon which the weeds were removed or destroyed as provided in section 8-605(a). Such notice shall inform the owner, occupant or agent in charge of the costs incurred by the city within thirty (30) days following receipt of such notice. Should the owner, occupant or agent in charge of the property refuse to take delivery of the notice and return is marked by the postal service as refused or unclaimed, the notice shall be sent by regular mail to the last known address of the owner. Service shall be deemed complete when said notice is deposited in the mail addressed to the owner, occupant or agent in charge of the property as previously set forth and receipt by the owner, occupant or agent in charge of the property shall be deemed to have occurred upon such mailing. The city clerk shall make and maintain records detailing the method and time of sending and receipt of such notice.
(d) Should the costs of such abatement, including the administrative fee provided for in this article, the city clerk shall, at the time required by law for certification of other city taxes, certify the unpaid portion of said costs to the Sedgwick County Clerk for extension of the same on the county tax rolls against the property upon which the weeds were located.
(e) In addition to levying a special assessment against the property upon which the weeds were located as provided for in this section, the city may also elect to collect the unpaid portion of the costs provided for in herein in the manner provided by K.S.A. 12-1,115 and amendments thereto, and may pursue such remedy without limiting its ability to levy special assessments at any time and from time to time until such time as the full costs and any applicable interest has been paid in full.
(Ord. 409, Sec. 2; Code 1984; Ord. 670; Ord. 670-A; Ord. 670-B Ord. 710; Ord. 724; Ord. 743; Ord. 812; Ord. 855; Code 2022)

HTTPS://WWW.HAYSVILLE-KS.COM/CODE-ENFORCEMENT