

ORDINANCE NO. 1
Series 1998

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO WHICH
ADDS SECTION 11.3 TO CHAPTER 11 OF THE LAKE CITY
MUNICIPAL CODE, PRESCRIBES MEASURES FOR CONTROL OF
NOXIOUS WEEDS AND PROVIDES PENALTIES FOR VIOLATIONS.

WHEREAS, the Colorado Weed Management Act (CRS Section 35-5.5-101 et. seq.) requires local governments to adopt management plans for the control of certain noxious weeds within their territorial boundaries; and

WHEREAS, the Board of Trustees of the Town of Lake City, Colorado, desires to comply with said State legislation;

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Lake City, Colorado, as follows:

Section 11.3
Weed Management

11.3-1. Undesirable Plants Defined:

The following plants are hereby declared to be undesirable plants subject to control under this ordinance:

<u>Common Name</u>	<u>Scientific Name</u>
Black henbane	Hyoscyamus niger
Canada thistle	Cirsium arvense
Dalmation toadflax	Linaria dalmatica
Diffuse knapweed	Centaurea diffusa
Field bindweed	Convolvulus arvensis
Hoary cress	Cardaria draba
Leafy spurge	Euphorbia esula
Musk thistle	Carduus nutans
Purple loosestrife	Lythrum salicaria
Russian knapweed	Centaurea repens
Spotted knapweed	Centaurea maculosa
Yellow toadflax	Linaria vulgaris

The Board of Trustees reserves the right, by later resolution(s), to supplement or otherwise modify the foregoing list of undesirable plants.

11.3-2. Declaration of Nuisance:

The aforementioned weeds, and such others as may be designated hereafter as "undesirable plants" by the Board of Trustees, are declared to be a public nuisance. In their sole discretion, the Trustees may take any and all actions for the abatement of such a nuisance that may be available to a municipality under Colorado's

Weed Management Act and all other applicable laws.

11.3-3. Removal of Undesirable Plants Required by Property Owner:

It shall be the general duty of all property owners within the Town of Lake City, Colorado to eliminate all undesirable plants within their respective properties. Such duty shall be met by each responsible property owner in a manner that is safe and practical under the circumstances, giving proper regard to other laws, ordinances, rules and regulations enacted for preservation of public and environmental health, safety and welfare.

11.3-4. Enforcement:

By subsequent resolution, the Board of Trustees may designate one or more agents or employees of the Town of Lake City to assist with administration of this ordinance. Such delegate(s) shall, upon prior notice, have the right to enter upon all public and/or private premises, lands, places or properties within the Town during reasonable daytime hours for purposes of inspecting the same for the existence of undesirable plants and shall have the right to propose, implement and enforce the management of undesirable plants upon such Town areas in accord with applicable provisions of said Colorado Weed Management Act (CRS 35-5.5-109 and 35-5.5-110).

11.3-5. Penalties:

Violation of this Section 11.3 of the Lake City Municipal Code by any owner of property within the Town shall subject such owner to penalties of up to ninety (90) days in jail or a fine of up to \$300.00, or both such fine and imprisonment, in addition to assessment of nuisance abatement costs and any other remedies provided herein or otherwise allowed by ordinance, statute, law, rule or regulation.

11.3-6. Effective Date:

This Section 11.3 shall become effective and enforceable after April 3, 1998.

INTRODUCED, READ and ADOPTED by the Board of Trustees of the Town of Lake City, Colorado this 4th day of March, 1998.

TOWN OF LAKE CITY, COLORADO

By: Philip Mason
Mayor

ATTEST:

Michelle L. Lusa
Town Clerk

Weed Management Act and all other applicable laws.

11.3-3. Removal of Undesirable Plants Required by Property Owner:

It shall be the general duty of all property owners within the Town of Lake City, Colorado to eliminate all undesirable plants within their respective properties. Such duty shall be met by each responsible property owner in a manner that is safe and practical under the circumstances, giving proper regard to other laws, ordinances, rules and regulations enacted for preservation of public and environmental health, safety and welfare.

11.3-4. Enforcement:

By subsequent resolution, the Board of Trustees may designate one or more agents or employees of the Town of Lake City to assist with administration of this ordinance. Such delegate(s) shall, upon prior notice, have the right to enter upon all public and/or private premises, lands, places or properties within the Town during reasonable daytime hours for purposes of inspecting the same for the existence of undesirable plants and shall have the right to propose, implement and enforce the management of undesirable plants upon such Town areas in accord with applicable provisions of said Colorado Weed Management Act (CRS 35-5.5-109 and 35-5.5-110).

11.3-5. Penalties:

Violation of this Section 11.3 of the Lake City Municipal Code by any owner of property within the Town shall subject such owner to penalties of up to ninety (90) days in jail or a fine of up to \$300.00, or both such fine and imprisonment, in addition to assessment of nuisance abatement costs and any other remedies provided herein or otherwise allowed by ordinance, statute, law, rule or regulation.

11.3-6. Effective Date:

This Section 11.3 shall become effective and enforceable after April 3, 1998.

INTRODUCED, READ and ADOPTED by the Board of Trustees of the Town of Lake City, Colorado this 4th day of March, 1998.

TOWN OF LAKE CITY, COLORADO

By: Philip Mason
Mayor

ATTEST:

Michelle A. Luce
Town Clerk