

ORDINANCE NO. 3856

**AN ORDINANCE AMENDING CHAPTER VIII HEALTH & PROPERTY NUISANCES
ARTICLE 1 AND 3, REDEFINING RESPONSIBILITIES FOR VEGETATION
CONTROL IN CURBS, GUTTERS AND PUBLIC SIDEWALK**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
OSAWATOMIE, KANSAS:**

SECTION ONE: CODE AMENDED. Section 8-101. Definitions., specifically the definition of “Premises” of the City of Osawatome Municipal Code is hereby amended to read as follows:

8-101. Definitions.

(s) Premises. - shall mean any lot, plot or parcel of land including the structures thereon **as well as** ~~Premises shall also mean~~ any lot, plot or parcel of land without any structures ~~thereon~~, and the adjoining public rights-of-way to the center of said rights-of-way.

SECTION TWO: Section 8-302. Yard nuisance., specifically subsection (i) is amended to read as follows:

(i) All grass or weeds or other unsightly vegetation **including all grass and weeds that are growing in cracks and/or joints of sidewalks and in curbs and gutters on public streets and other rights-of-way** not usually cultivated or grown for domestic use, public sale, or for ornamental purposes.

SECTION THREE: Section 8-304 of the City of Osawatome Municipal Code is hereby amended to read as follows:

8-304. 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 premises to permit weeds or other vegetative growth to 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 specifically limited to curbs, gutters, sidewalks, streets, alleyways, easements, rights-of-way and all other areas, public or private. All weeds and other vegetation allowed to grow in sidewalks and/or in curbs and gutters are hereby declared a nuisance and are subject to abatement as provided for in 8-207 of this Code.

EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the official City Newspaper.

PASSED AND APPROVED by the Governing Body of the City of Osawatome, Kansas, this 22nd day of August, 2024.

APPROVED AND SIGNED by the Mayor.

Nick Hampson, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk