

ORDINANCE NO. G-2877

AN ORDINANCE AMENDING CHAPTER 7. HEALTH AND WELFARE; ADDING ARTICLE 7. GRASS CLIPPINGS, LEAVES, AND OTHER DEBRIS.

WHEREAS, the City of Anthony recognizes the need to maintain city streets and sidewalks free of grass clippings, leaves, and other debris in order to maintain public health, safety, city drainage flow, and aesthetics;

WHEREAS, property owners adjacent to the right of way are responsible to mow and maintain right of way vegetation;

WHEREAS, lawn maintenance activities which discharge clippings and other debris into city gutters, left unremoved, have created an overgrowth of vegetation and weeds in city streets which is impacting proper drainage and creating a public health and aesthetics nuisance throughout the city;

WHEREAS, the City desires to minimize the creation of such nuisances by establishing an ordinance to prevent lawn maintenance debris build up on city streets.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANTHONY, KANSAS THAT:

Section 1. Adding Article 7. Grass Clippings, Leaves, and Other Debris.

7-701. Discharge of vegetation, dirt, waste, trash, or other debris upon city streets prohibited.

- (a) It shall be unlawful for any person or owner of real property to either allow or directly cause the discharge of any vegetation, dirt, waste, trash or other debris upon any city street. This shall specifically include the discharge of grass clippings or other mower discharge upon streets. The owner of any property is responsible for any activity upon his or her property which causes said discharge.
- (b) Definition of “city street” for purpose of this section only does not include alleyway.

7-702. Penalty. Violation of Section 7-701 shall be deemed an infraction and, upon conviction, shall be punishable by a fine of \$50.00, plus court costs. Each day of noncompliance with the provisions of this article shall be deemed a separate violation.

7-703. Notice to clean.

- (a) Whenever any person whose duty it is to keep clean the areas described in Section 7-701 fails to do so, the Chief of Police, shall serve or cause to be served upon the owner of such property a notice that the owner is in violation of the city grass clipping, leaves, and debris control law and requiring such owner to abate and remedy any violation(s) of Section 7-701.
- (b) Such notice shall be served in the same manner as provided in Article 4 Section 7-403.

7-704. Abatement; assessment of Costs.

- (a) If a person fails to abate, clean, and remedy any violations of Section 7-701 within ten (10) days of service or receipt of the notice to do so, the City may, at its discretion, clean, abate, and/or otherwise remedy the violation(s) or hire a third-party to do so.
- (b) If the City, or City's third-party, abates or removes the nuisance pursuant to this section, the city shall give notice to the owner or his or her agent and collect costs in the same manner as provided in Article 4 Section 7-404 and 7-408.
- (c) The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was created from and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full.

Section 4. This ordinance shall take effect after its publication in the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF ANTHONY, KANSAS THIS 15th day of July, 2025.

Greg Cleveland, Mayor

(SEAL)

ATTEST:

Cyndra Kastens, City Clerk/Administrator