

AN ORDINANCE AMENDING THE HAMILTON CITY CODE SECTION 64.011 RELATED TO DEFINITION OF NUISANCE TO INCLUDE WEEDS, GRASS, SHRUBS, OR CERTAIN TREES IN THE PUBLIC RIGHT OF WAYS WITHIN THE CITY, AND SETTING EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: That Section 64.011 of the Hamilton City Code is amended by the adoption of new definition in Section 64.011(b)(1) as follows:

Section 64.011(b)(1). Any growth of weeds, non-ornamental shrubs, or grass to a height of twelve (12) inches or more, or any trees or ornamental shrubs that are dead or which endanger the public health, safety, or welfare. Whenever private property abuts a public right-of-way or easement belonging to the City, or any public entity, and there exists in such right-of-way or easement a tree, shrub, lawn, or grassy area between the private property line and the midline of said right-of-way or easement, then such tree, lawn, shrub, or grassy area shall be considered, for purposes of this Article requiring cutting or removal of grass, shrub, weeds, or trees to be a part of the private lot which abuts the right-of-way or easement, and it shall be the duty of those responsible under this Article for the maintenance of the private lot to equally maintain the tree, shrub, lawn, or grassy area within the abutting right-of-way or easement, and all of the provisions of this Article shall apply with equal force and effect to said tree, shrub, lawn or grassy area within the right of way area.

SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

SECTION 3. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

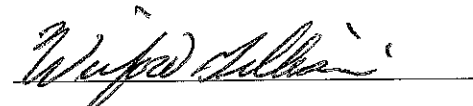
SECTION 5: This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

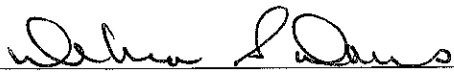
Adopted by the Board of Aldermen this 8th day of June, 2016.

Sherria Kavanaugh, President
of Board of Aldermen

Approved on this 8th day of June, 2016.



Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk