

ORDINANCE NO. 2021
AN ORDINANCE AMENDING IN PART CENTRAL POINT MUNICIPAL CODE
CHAPTER 8.08.010 WEED ABATEMENT

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. Upon review, the staff and city attorney for the City of Central Point determined that amendment to description of a nuisance is necessary to address the increased threat from fires. In particular, fire seasons are starting earlier and ending later, and City staff requires additional tools to limit fire danger resulting from overgrown vegetation.
- C. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.08.010 is amended in part as set forth below and incorporated herein by reference.

8.08.010 Nuisance described--Offense punishable.

A. Except as provided in subsection C of this section, it shall be unlawful and a public nuisance for any owner or occupant of real property in Central Point to allow grass, weeds, brush or bushes or any like vegetation over a height of ten inches to remain upon such real property during the period from ~~June~~ **May 1st** to ~~October 31st~~ **November 15th** in each calendar year, or at any other time prior to ~~June~~ **May 1st** or after ~~October 31st~~ **November 15th**, if the city manager or his designee determines that such growth constitutes a fire hazard. In the event the city manager or his designee determines there exists a fire hazard prior to ~~June~~ **May 1st** or after ~~October 31st~~ **November 15th**, the owner or occupant shall be notified in writing as provided in the notice provisions of Section 8.08.020(B).

1. Properties Less Than One Acre in Size. Weeds and grass on the entire property shall be disked, cut or removed.

2. Properties More Than One Acre in Size. Firebreaks ~~may~~ **shall** be required by the city in addition to clearing the entire parcel. ~~In such event,~~ **Such firebreaks shall consist of a** minimum thirty-foot-wide firebreaks ~~shall be~~ provided around the perimeter of the property and the area shall be divided into maximum two-and-one-half acre parcels with minimum thirty-foot-wide cross-breaks. In addition, the city may require a minimum one-hundred-foot firebreak adjacent to improved

subdivisions/properties. (Road width may be considered part of the one-hundred-foot firebreak.)

3. Unmaintained Agricultural Properties. Minimum thirty-foot-wide firebreaks shall be maintained along the perimeter from the edge of road. In addition, minimum one-hundred-foot-wide firebreaks adjacent to improved subdivisions/properties. (Road width may be considered part of the one-hundred-foot firebreak.)

4. Improved Subdivisions (Streets In But Structures Not Yet Built). Each lot is required by ordinance to be cut.

5. Structures in Hillside Areas. Minimum one-hundred-foot firebreaks (defensible space) shall be provided around the perimeter of the structure.

B. Violation of subsection A of this section constitutes a violation.

C. The provisions of subsection A of this section shall not apply to the following:

1. Ornamental shrubs, bushes or other like vegetation maintained and kept in a landscaped yard or place;

2. Any crop grown and maintained for agricultural purposes;

3. Grass or other like vegetation grown and maintained for pasturage upon property fenced, zoned and otherwise lawfully used for said purpose; or

4. To any "natural area" within a Central Point public park. As used herein, "natural area" shall mean any park or portion thereof preserved in its native state and approved in writing by the Central Point parks department. Prior to approving any natural area, the Central Point parks department shall solicit and comply with any order of the Fire Marshal concerning the elimination or reduction of a fire hazard.

D. Each day during which such condition is unlawfully permitted to exist after notice has been given in the manner prescribed by this chapter is a separate offense punishable in the manner prescribed by Section 1.16.010; provided, that the condition shall be deemed a nuisance and, in addition to the foregoing remedy, may be abated by the city in the manner hereinafter prescribed, and the cost of abatement assessed as a lien against the property, and subject to foreclosure in the same manner and to the same effect as in the case of special assessment liens.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e.

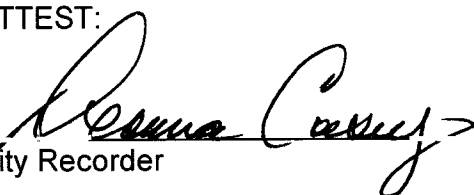
Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this 11th day of ~~January~~, 2021.
February


Mayor Hank Williams

ATTEST:


City Recorder