

2024-007-0

20240312-3: AN ORDINANCE TO AMEND CHAPTER THIRTEEN OF THE
CODE OF ORDINANCES OF THE TOWN OF SELMA

WHEREAS the Town of Selma Planning Department has initiated text amendments to Chapter 13 of the Town Code of Ordinances to modify provisions to Chapter 13 - Article III. - Nuisances - Sec. 13-55. Notice to Abate and Sec. 13-56. Contents of Notice; and

WHEREAS on the Town Council called for a public hearing at the regularly scheduled Council meeting on February 13, 2024, to discuss the proposed amendments to Chapter 13 (Offenses and Miscellaneous Provisions); and

WHEREAS on March 12, 2024, as part of a legislative public hearing the Town Council reviewed the amendments and unanimously voted to amend Chapter 13 (Offenses and Miscellaneous Provisions).

NOW, THEREFORE, BE IT ORDAINED THAT:

Section 1. The Code of the Town of Selma is hereby amended as follows:

Chapter 13 - Article III. - Nuisances - Sec. 13-55. Notice to Abate.

Except in cases involving excessive vegetation as described in below chapters, whenever a nuisance is found to exist within the town, ~~after the first notice to abate,~~ the town manager or his designated officer shall first issue a warning, and thereafter a citation not to exceed fifty dollars (\$50.00) with a written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance except as otherwise stated herein.

~~In cases involving excessive vegetation, the city manager or his designee may send an annual notice to chronic violators. After annual notice to a chronic violator, the city may take any action in this article to abate the nuisance and the costs shall be a lien on the property in violation.~~

Chapter 13 - Article III. - Nuisances - Sec. 13-56. Contents of Notice.

The notice to abate a nuisance issued under the provisions of this chapter shall contain:

~~(1) In cases not involving excessive vegetation a citation not to exceed fifty dollars (\$50.00) along with an order to abate the nuisance within fifteen (15) days of notice;~~

~~(2) (1) In cases involving excessive vegetation, a A citation not to exceed fifty dollars (\$50.00) for the first offense, along with an order to abate the nuisance within fifteen ten (15 10) days~~

of notice. Each subsequent citation in any given calendar year shall be accompanied by an increased penalty by one hundred dollars (\$100.00); i.e.—\$150.00, \$250.00, \$350.00, etc.);

(3) (2) The location of the nuisance, if the same is stationary;

(4) (3) A description of what constitutes the nuisance;

(5) (4) A statement of acts necessary to abate the nuisance. In cases involving excessive vegetation on residential lots, the broadcast of herbicide shall not be considered an adequate corrective action demonstrating compliance or abatement. Such action will be subject to a citation not to exceed fifty dollars (\$50.00). This prohibition only applies to the use of herbicide on the majority part of any residential lot in response to a town-issued notice of violation, and does not apply to agricultural uses or targeted uses (i.e. - around mailboxes, fence posts, etc.) or residential lots.

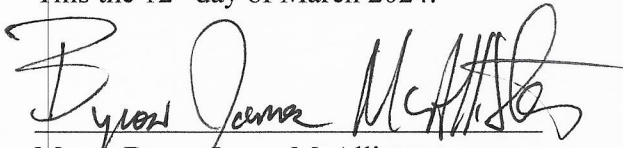
(6) (5) A statement that waives citation if the nuisance is abated within the allotted time;

(7) (6) A statement that if the nuisance is not abated as directed within the prescribed time, the town will abate such nuisances and assess the citation and cost thereof against such person.

Section 2. The Town Clerk is hereby authorized to insert such amendments into the official CODE OF ORDINANCES OF THE TOWN OF SELMA kept on file in the Office of the Town Clerk.


Section 3. This ordinance shall become effective upon adoption.

This the 12th day of March 2024.



Mayor Byron James McAllister

ATTEST:



Dalton Larsen-Batten, Town Clerk

Town Seal:

