



CITY OF BLACKDUCK ORDINANCE #2023-02

AN ORDINANCE AMENDING CHAPTER 9, GENERAL REGULATIONS, HEALTH & SAFETY; NUISANCES, ADDING SECTION 900.39 TO THE CITY CODE TO REGULATE MANAGED NATURAL LANDSCAPES

Findings and Purpose:

The City Council of the City of Blackduck finds that it is in the public interest to authorize occupants of any privately owned lands or premises to install and maintain a managed natural landscape.

The City Council of Blackduck, Minnesota, ordains:

Section 1. The Weed Ordinance, City Code Sections 900.37 and 900.38, is modified as follows, with added language underlined and deleted language struck out:

§900.37 – Definitions, Exclusions

Destructive Order The notice served by the City Council or designated City Official in cases of appeal, on the property owner of the ordinance violation.

Property Owner The person occupying the property, the holder of legal title or a person having control over the property of another, such as a right-of-way, easement, license or lease.

Weeds, Grass, and rank vegetation. Including but not limited to the following:

- A. Noxious weeds and rank vegetation shall include but not be limited to: alum (allium), Buckthorn, Bur Cucumber, Canada Thistle, Corn cockle, Cress leaf Groundsel, Curly Dock, Dodder, Field Bind wood, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, Horsenettle, Johnsongrass, Leafy Sponge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Perennial Sow thistle, Poison Hemlock, Purple Loosestrife, Quack grass, Russian Knapweed, Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Mustard, Wild Onion, Wild Parsnip.
- B. Grapevines when growing in groups of a hundred (100) or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years.
- C. Bushes of the species of tall, common, or European barberry, further known as berberis vulgaris or its horticulture varieties;
- D. Except as allowed as a managed landscape, Any weeds, grass, or any plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding ~~twelve (12)~~ eight (8) inches.

E. Rank vegetation includes the uncontrolled, uncultivated growth of annuals and perennials plants.

F. The term WEEDS does not include shrubs, trees, cultivated plants, or crops.

In no event shall cultivated plants or crops include plants, which have been defined by state statute or administrative rule as being noxious and detrimental plants.

Managed Landscape – means a planned, intentional, and maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state.

Meadow Vegetation – means grasses and flowering broad-leaf plants that are native to, or adapted to, the state of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds (Noxious weeds are defined in §900.37 *Weeds, Grass, and rank vegetation*).

Ornamental plants – means grasses, perennials, annuals, and ground covers purposely planted for aesthetic reasons

Rain Garden – means a native plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of storm water and accompanying pollutants from entering streams, lakes, and rivers

Turf-grass lawn – means a lawn composed mostly of grasses commonly used in regularly cut lawns or play areas, including but not limited to bluegrass, fescue, and ryegrass blends, intended to be maintained at a height of no more than eight (8) inches.

a. Managed natural landscapes may include plants and grasses that are in excess of eight (8) inches in height and have gone to seed, but may not include noxious weeds and must be maintained.

b. Except as part of a managed natural landscape as defined in this section, any weeds or grasses growing upon any lot or parcel of land in a city to a greater height than eight (8) inches or that have gone or are about to go to seed are prohibited.

§900.38 – Owners responsible for Trimming, Removal and the Like

All property owners shall be responsible for the removal, cutting, or disposal and elimination of weeds, grasses, and rank vegetation or other uncontrolled plant growth on their property, which at the time of notice, is in excess of ~~twelve (12)~~ eight (8) inches in height.

Subdivision 2. Effective Date. This ordinance shall be effective from and after its passage and publication.

Passed by the City Council of Blackduck, Minnesota this ____ day of _____, 2023.

Maxwell Gullette, Mayor

Attested:

Christina Regas, City Administrator