



CITY OF CARVER
CARVER COUNTY, MINNESOTA

PROPOSED FOR 9/18/23 - ORDINANCE NO. 10-2023

**AN ORDINANCE AMENDING CHAPTER 30, ARTICLE II, DIVISION 2 OF THE
CARVER CITY CODE REGARDING WEEDS, GRASS, AND OTHER VEGETATION**

THE CITY COUNCIL OF THE CITY OF CARVER, CARVER COUNTY, MINNESOTA, DOES
ORDAIN:

SECTION 1. The City Council of the City of Carver hereby amends section Chapter 30, Article II, Division 2 of the Carver City Code by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

DIVISION 2. - WEEDS, GRASS AND OTHER VEGETATION

Sec. 30-54. City weed inspector.

Pursuant to M.S.A. § 18.80, the mayor shall act as city weed inspector, and the city council may appoint deputy weed inspectors. The city weed inspector and ~~his~~ their designees shall enforce the provisions of this division and the Minnesota Noxious Weed Law, M.S.A. § 18.75 et seq., and shall have the duties specified in M.S.A. § 18.81, together with such other duties as may be assigned from time to time by the city council.

Sec. 30-55. Vegetation nuisances prohibited.

- (a) *Generally.* Weeds and vegetation that do not meet the maintenance standards of this division and vegetation that violates the sight-distance standards established by the city are declared public nuisances and are prohibited in the city.
- (b) *Exception; landscape plans.* Weeds prohibited by this division include anything that is horticulturally out of place, such as a tree seedling in a vegetable garden. A property owner may establish that plants are not horticulturally out of place by providing a written landscape plan for the area in question, complete with a listing and location of plant species. The plants specifically defined in this chapter or by state law as noxious weeds may not be included within the landscape plan. Vegetation that does not comply with the landscape plan are prohibited weeds. Additionally, managed natural landscapes, as defined in M.S.A. § 412.925, as may be amended, do not require a landscape plan and are not considered horticulturally out of place.

Sec. 30-56. Grass and weed height restricted; exceptions.

- (a) Unless expressly provided otherwise, this ~~This~~ section applies to property that has been developed with a building as defined in city building regulations including vacant property combined with the developed property for tax purposes and property that has received development approval from the city.
- (b) Turf grasses and weeds must not exceed a height of six inches measured from the base at ground level to the tip of each stalk, stem, blade or leaf.

- (c) The height restriction of this section does not apply to:
- (1) A wetland or floodplain designated on the official zoning map.
 - (2) A drainage pond or ditch that stores or conveys stormwater.
 - (3) An area currently being used as pasture land for domestic hoofed animals.
 - (4) Natural areas on which the land and vegetation appears not to have been graded, landscaped, mowed, or otherwise disturbed by human or mechanical means at a reasonable judgment of the present appearance of the area. (The recent history of the area may be relevant to this determination.)
 - (5) Managed natural landscapes, as defined in M.S.A. § 412.925, located on any privately owned land or premises.

~~An area established with native plant landscape area if:~~

- ~~a. The prior vegetation is eliminated and the native plant landscape area is planted through the transplanting or seed by human mechanical means;~~
- ~~b. The area is cut at least once per year to a height of no more than six inches, if weeds cover more than 25 percent of the area; and~~
- ~~c. For native plant landscape area in an area likely to be seen by the public, a sign is posted on the property, in a location likely to be seen by the public, advising that a meadow or prairie is being established.~~

~~(d) The sign required in subsection (c) of this section shall be in addition to any sign permitted by city sign regulations and shall be no smaller than ten inches square, no larger than one square foot, and no higher than three feet tall. The sign is no longer required when weeds cover 25 percent or less of the meadow or prairie area.~~

Secs. 30-57—30-87. Reserved.

SECTION 2. This ordinance shall take effect following its passage and publication in accordance with state law.

Adopted by the Carver City Council this 18th day of September, 2023.

Courtney Johnson, Mayor

Attest:

Vicky Sons-Eiden, City Clerk