



# CITY OF LYNN

*In City Council*

September 11, 1979

IN THE YEAR ONE THOUSAND NINE HUNDRED SEVENTY-NINE  
AN ORDINANCE AMENDING THE ORDINANCE DECLARING WEEDS  
AND PLANTS A NUISANCE

Be it ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. The Ordinance declaring Weeds and Plants a nuisance in the City of Lynn is hereby amended by making the following change in SECTION 2. of said ordinance:

After the words "...to grow to a certain height" delete the words "exceeding twelve inches" and Insert in lieu thereof the following words: "which would be declared a health hazard to the inhabitants of the City of Lynn by the Commissioner of the Department of Public Health of the City of Lynn ; and said ordinance is also further amended by asking the following change in SECTION 3. of said ordinance:

After the words "It shall be the duty of the" delete the words'... "Chief of Police" and insert in lieu thereof the words "Commissioner of the Department of Public Health of the City of Lynn; and said ordinance is also further amended by adding a new section to be known as SECTION 7. to read as follows:

SECTION 7. Penalty. The penalty for failure to comply with the provisions of this ordinance shall be punishable by a fine of not less than One Hundred (\$100.00) Dollars per day.

SECTION 2 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. -This ordinance shall take effect upon its adoption and approval, after advertising as adopted.

SECTION 1, Weeds declared a nuisance. Any weeds such as Jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind, found growing in any lot or tract of land in the city are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

SECTION 2, Height. It shall be unlawful for anyone to permit any weeds, grass or plants, other than trees, bushes, flowers or other ornamental plants to grow to a height exceeding- twelve inches anywhere in the city; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

SECTION 3 Removal Notice. It shall be the duty of the Chief of Police to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this ordinance and to demand the abatement of the nuisance within ten days.

SECTION 4. Abatement. If the person so served does not abate the nuisance within ten days the city may proceed to abate such nuisance keeping an account of the expense of the abatement, and such expense shall be charged and paid by the owner or occupant.

SECTION 5. Lien. Charges for such weed removal shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for sixty days after it has been rendered, the clerk may file with the recorder of deeds of Southern *Essex* County a statement of lien claim. This statement shall contain a legal description of the premises, the expenses and costs incurred and the date the weeds were cut, and a notice that the city claims a lien for this amount.

Notice of such lien claim shall be mailed to the owner of the premises if his address is known.

Provided, however, that failure of the clerk to record such lien claim or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for such charges as provided in the following section.

SECTION 6. Foreclosure of lien. Property subject to a lien for unpaid weed cutting charges shall be sold for nonpayment or the same and the proceeds of such sale shall be applied to pay the charges after deducting costs, as in the case in the foreclosure of statutory liens. Such foreclosure shall be in equity in the name of the city. The city attorney is hereby authorized and directed to institute such proceedings in the name of the city, in any court having jurisdiction over the matter, against any property for which such bill has remained unpaid sixty days after it has been rendered.

SECTION 7, All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. This ordinance, shall take effect upon its adoption and approval, after advertising as adopted.

September 24, 1968,