

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

ORDINANCE 10-O-671

AN ORDINANCE ADDING SECTION 8.05.030.C, TO CHAPTER 8.05, FIRE HAZARDS, AND AMENDING, IN THEIR ENTIRETY, SECTIONS 8.15.050, AND 8.15.110, OF CHAPTER 8.15, NUISANCES, BROOKINGS MUNICIPAL CODE, TITLE 8, HEALTH AND SAFETY.

Section 1. Ordinance Identified

Section 2. Adds Section 8.05.030.C

Section 3. Amends Sections 8.15.050 and 8.15.110, in their entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance adds Section 8.05.03.C, to Chapter 8.05, Fire Hazards, and amends, in their entirety, Sections 8.15.050 and 8.15.110, of Chapter 8.15, Nuisances, Brookings Municipal Code, Title 8 Health and Safety,.

Section 2. Adds Sections 8.05.030.C. Section 8.05.030.C is added to Chapter 8.05, Fire Hazards as follows:

8.05.030 Duties and responsibilities of citizens

C. It shall be unlawful for the owner, occupant, agent, or other person in possession of any lot, tract, or parcel of land within the corporate limits of the city of Brookings to permit grass or other vegetation to grow in a manner that is determined to be a fire hazard by the fire marshal.

Section 3. Amends Sections 8.15.050 and 8.15.110 in their entirety. Sections 8.15.050 and 8.15.110 of Chapter 8.15, Nuisances, are amended, in their entirety, as follows:

8.15.050 Noxious Vegetation.

The Department of Agriculture has declared many species of vegetation to be a menace to the public welfare (ORS 570.505). A list of the vegetation covered under this declaration may be found in OAR 603-052-1200. It shall be unlawful for the owner, occupant, agent, or other person in possession of any lot, tract, or parcel of land within the corporate limits of the City of Brookings to permit the following:

A. The growth or propagation of gorse. The City may allow an abatement plan to be filed if it is determined that the gorse infestation is severe enough to merit a long range eradication program.

B. The uncontrolled growth of nuisance vegetation, nuisance vegetation is defined as vegetation that;


- Encroaches onto the property of another, the encroachment must be by the plant itself and not by seed or underground root systems; and
- Is listed in Oregon Administrative Rule (OAR 603-052-1200).

8.15.110 Penalties

Pursuant to Chapter 1.05 BMC

First Reading: August 23, 2010
Second Reading: August 23, 2010
Passage: August 23, 2010
Effective Date: September 27, 2010

Signed by me in authentication of its passage this



Mayor Larry Anderson

23rd, day of August, 2010

ATTEST:


City Recorder Joyce Hefington