

**ORDINANCE #673**

**DISEASED VEGETATION**

**AN ORDINANCE OF THE CITY OF HARTFORD, SOUTH DAKOTA, AMENDING TITLE 3 HEALTH AND SANITATION, CHAPTER 3.01 NUISANCES, SECTION 3.0103 DEISEASED VEGETATION,**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HARTFORD, SOUTH DAKOTA:**

THAT TITLE 3, CHAPTER 3.01, SECTION 3.0103 BE AMENDED AS FOLLOWS:

**3.0103 Diseased Vegetation.**

Any owner, occupant, or person in charge of any property under the jurisdiction of the City shall remove at his own expense any trees, brush, wood, or debris infected with Dutch Elm disease, Emerald Ash Borer or other infestations or infectious disease found thereon when so notified by the City to do so. The City Council shall cause to be mailed to such owner, occupant, or person, written notice that they may appear before the said City Council at an appointed time not less than fourteen (14) days from the date of mailing of said written notice to show cause why said trees, brush, wood, or debris should not be declared a public nuisance.

At said meeting the City Council may resolve and declare the same to be a public nuisance and may order its removal by said owner, occupant, or person within twenty-one (21) days from the date of service of said resolution and order on said owner, occupant, or person.

Any diseased vegetation stored in the City shall be debarked or covered with four (4) to six (6) mil clear plastic from April 1st to October 1st, such plastic to be sealed by placing all edges in a three to four-inch trench covered with soil. In addition, any diseased vegetation which is removed and not stored in accordance with the provisions of this Section shall be properly disposed of by burning or burying in a designated disposal site. (SDCL 9-32-12)

Adopted this 20<sup>th</sup> day of August, 2019.

---

Mayor Jeremy Menning

ATTEST:

---

Karen Wilber, Finance Officer

(seal)

First Reading: August 6, 2019  
Second Reading and Adoption: August 20, 2019  
Publication: August 29, 2019  
Effective: September 18, 2019