

**Article 8**  
**CHAPTER 7**

**WEEDS AND VEGETATION**

SECTION:

8-7-1: Definitions

8-7-2: Nuisance Declared

8-7-3: Prohibited Accumulations Designated

**8-7-1 DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abutting Land:* A parcel of land which has a common property line with another parcel of land.

*Alley:* A minor way which is used primarily for vehicular service access to the rear or side of properties otherwise abutting on the street. Its use is for secondary access to the lot and/or service purposes. An alley shall not be considered to be a street.

*Brush:* Volunteer growth of bushes, shrubs and trees such as are growing wild and without care and includes all cuttings from trees, shrubs and bushes and high and rank shrubbery growth which may conceal filthy deposits.

*Commercial / Business:* means and includes all kinds of vocations, occupations, home occupations, professions, enterprises and establishments, any of which are conducted on any premises or are otherwise carried on within the town or anywhere else within its jurisdiction.

*Dandelions:* The weed *Taraxacum Officinale* Weber.

*Street or Highway:* means the entire width between the boundary lines of every right-of-way publicly maintained where any part thereof is open to the use of the public for purposes of vehicular travel.

*Weeds* mean:

- A. Those plant species that are designated as noxious by the Colorado Noxious Weed Act, section 35-5.5-101 et seq., Colorado Revised Statutes, as amended, and further

defined by rules set forth by the Colorado Department of Agriculture pertaining to the administration and enforcement of the Colorado Noxious Weed Act.

- B. In addition to the foregoing, "weeds" includes brush, whether noxious or not, which is in excess of six inches (6") in height and which meets the definition of "brush" stated in this section.
- C. The foregoing is not intended to be exclusive, but rather is intended to be indicative of those types of plants which are unsightly, useless, troublesome or injurious, and does not include flower gardens, plots of shrubbery, vegetable gardens.

#### 8-7-2 NUISANCE DECLARED.

- A. *Weeds, Brush, Leaves, and Grass Clippings.* Any unauthorized accumulation of weeds or brush on any premises is declared to be a nuisance and a health hazard and is prohibited. It shall be unlawful for any person:
  - 1. To permit weeds, grasses or brush to grow to a height in excess of six (6) inches upon any lot, tract or parcel owned or occupied by such person;
  - 2. To store, keep or permit to remain on any lot, tract or parcel owned or occupied by such person trees, limbs or branches of trees, shrubs or plants, whether alive or dead, which are dangerous to health or property;
  - 3. To fail to remove trees, limbs or branches of trees, shrubs or plants, whether alive or dead, which are dangerous to health or property, together with all litter of all kinds, from any lot, tract or parcel owned or occupied by such person;
  - 4. Cause or permit to accumulate any grass clippings or leaves anywhere in the Town. This subsection (4) shall not apply to vegetable materials in any properly layered, actively working compost pile, or to a thin layer of grass clippings used as mulch, provided the grass clippings are not able to blow from the property and do not cause an odor that can be detected from any adjacent property and provided that the compost pile shall be kept so as not to attract rodents;
  - 5. To permit weeds, grasses or brush to grow to a height in excess of six (6) inches, to store, keep or permit to remain any trees, limbs or branches of trees, shrubs or plants, whether alive or dead, which are dangerous to health or property, or to fail to remove the same together with all litter of all kinds, upon and from the area from any lot, tract or parcel owned or occupied by such person to the middle of any alley abutting behind or on the side of the

lot, tract or parcel, or upon and from the area from any lot, tract or parcel owned or occupied by such person to the street abutting to the front or on the side of the lot, tract or parcel, such area to include but not limited to the curb, gutter and sidewalk.

**8-7-3 PROHIBITED ACCUMULATIONS DESIGNATED.**

It is unlawful for any owner, lessee, agent, occupant or person in possession or control of any occupied or unoccupied lot or tract of land or any part thereof in the town to permit or maintain on any such lot or tract of land, or on or along the sidewalk, street or alley adjacent to the same, any growth of weeds to a height greater than six (6") inches, or any accumulation of weeds or brush.