

**CITY OF MUSCATINE
ORDINANCE 2026-0173**

**ORDINANCE AMENDING SECTION 9, CHAPTER 8 OF TITLE 16 OF CITY
CODE, TO ALLOW FOR THE FIRST VIOLATION IN A CALENDAR YEAR OF
WEED AND VEGETATION MANAGEMENT REGULATIONS TO BE ENFORCED
AS A MUNICIPAL INFRACTION**

WHEREAS, Chapter 8 of Title 16 of City Code contains regulations on how property owners must maintain the weeds and vegetation on their property and any adjoining right of way;

WHEREAS, Section 9 of said chapter establishes the enforcement actions that the City may utilize to address violations of the weed and vegetation management regulations set forth in said Chapter;

WHEREAS, currently any violation of weed and vegetation management regulations can only be enforced through the municipal infraction and citation process if it is the second such violation in the same calendar year; enforcement for the first violation of the calendar year can only utilize the abatement process;

WHEREAS, , the proposed ordinance would amend Section 16-8-9 to allow for the option of using the municipal infraction and citation process for the first calendar year violation of weed and vegetation management regulations; the option of utilizing abatement to address the violation would be retained;

WHEREAS, the intent of this amendment is to provide for greater flexibility in how the enforcement of weed and vegetation management regulations is conducted by moving away from enforcement through abatement as the automatic first option for addressing violations at any particular property; and

NOW THEREFORE, be it ordained by the City Council of the City of Muscatine, in the State of Iowa, as follows:

SECTION 1: **AMENDMENT** “16-8-9 Failure To Comply” of the Muscatine Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

16-8-9 Failure To Comply

- A. In the event any property owner fails to maintain vegetation on their property or adjoining public right of way in compliance with regulations set forth in this Chapter, the City may cause such violations of City Code to be abated, by cutting or such other

method including chemical control, as may be necessary to achieve compliance with City Code.

- B. A second or subsequent violation, by an owner in the same calendar year as the first violation, of this Chapter shall constitute a municipal infraction subject to a fine and/or municipal infraction as provided for in Chapter 3 of Title 1 of City Code.

AFTER AMENDMENT

16-8-9 Failure To Comply

- ~~A. In the event any property owner fails to maintain vegetation on their property or adjoining public right of way in compliance with regulations set forth in this Chapter, the City may cause such violations of City Code to be abated, by cutting or such other method including chemical control, as may be necessary to achieve compliance with City Code. A second or subsequent violation, by an owner in the same calendar year as the first violation, of this Chapter shall constitute a municipal infraction subject to a fine and/or municipal infraction as provided for in Chapter 3 of Title 1 of City Code.~~

In the event any property owner fails to maintain vegetation on their property or adjoining public right of way in compliance with regulations set forth in this Chapter, or fails to perform an action required herein, following notice as provided in this Chapter.

- A. It shall constitute a municipal infraction and the requirements of this Chapter may be enforced under the procedures applicable as provided for in Chapter 3 of Title 1 of City Code; and/or
- B. The City may cause such violations of City Code to be abated, by cutting or such other method including chemical control, as may be necessary to achieve compliance with City Code, and recover the costs incurred in abating the nuisance as provided for in this Chapter.

First Reading:

Second Reading:

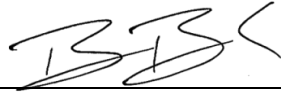
Third Reading:

Publication:

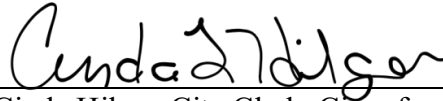
PASSED AND ADOPTED BY THE CITY OF MUSCATINE CITY COUNCIL MAY 19, 2026.

Presiding Officer

Attest



Dr. Brad Bark, Mayor, City of
Muscatine



Cinda Hilger, City Clerk, City of
Muscatine

