

ORDINANCE NO. 2611

AN ORDINANCE AMENDING CHAPTER 53: WEEDS, OF THE ROBINS MUNICIPAL CODE.

BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF ROBINS, IOWA: That the Municipal Code of the City of Robins, Iowa, is amended as follows:

SECTION 1. That Chapter 53 is amended by deleting the same and inserting in lieu thereof the following:

CHAPTER 53: WEEDS and GRASS

53.01 Definitions

53.02 Interference With Enforcement

53.03 Controlling Weeds and Grass

53.04 Managed Natural Areas

53.05 Exempt Property

53.06 Annual Notice

53.07 Penalty

53.01 DEFINITIONS. For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein.

1. "Conservation area" means an area that is planted with ground cover plants of a size and texture compatible with the environment and maintained accordingly.
2. "Ground cover" means plants with the growth and root capacity to cover and stabilize an area of soil and to prevent erosion.
3. "Grass" means any plant of the family Gramineae, having jointed stems, sheathing leaves, and seedlike grains.
4. "Developed lot or land" means real estate that has been modified from its natural state by human-made changes, such as the construction of buildings, structures, or essential infrastructure (e.g., roads, utilities, and grading) to support active, ongoing use.
5. "Undeveloped lot or land" means undeveloped or raw land, typically characterized by a lack of infrastructure, remaining in its natural state, and not being actively prepared for vertical construction.
6. "Natural area" means an area allowed to retain native plant material in a natural prairie state.
7. "Managed Natural Area" means a Natural Area that is maintained in compliance with this chapter, including control of noxious weeds and establishment of defined boundaries.
8. "Noxious Weeds" means those species identified as noxious weeds under Iowa Code Chapter 317, as amended.

9. "Parking" means that part of the street, avenue or highway in the City not covered by sidewalk, and lying between the lot line and the curb line. The grass lying between the innermost edge of a sidewalk, and the outermost curb of the roadway.
10. "Right-of-way" means that portion of land lying between the lot line and the lot line on the opposing side of the roadway. This can include sidewalk, parking, roadway, median and other city-held spaces.
11. "Soil erosion control" means a method of planting and cultivation, or lack of same, designed to retain soil and to prevent soil movement caused by natural or manmade causes.
12. "Weeds" means any plants growing uncultivated and out of context with the surrounding plant life with a height of nine (9) inches or more, except as otherwise provided in this chapter. (Code of Iowa, Sec. 364.12[3a])
13. "Forest trees" means woody plants which have a well-developed stem or stems, which are usually more than twelve feet in height at maturity, and which have a generally well-defined crown.
14. "Wooded Area" is defined as follows:

Size: Must be at least 0.5 acres.

Width: Generally not less than 66 feet wide, unless it is trees growing along a ditch/gully for soil erosion control.

Tree Count: Must contain at least **50 growing forest trees per 0.5 acres.**

Tree Types: ash, black cherry, black walnut, butternut, catalpa, coffee tree, elms, hackberry, hickories, honey locust, oaks, sugar maple, cottonwood, soft maple, basswood, European larch and other coniferous trees, shall be considered forest trees within the meaning of this chapter.

53.02 INTERFERENCE WITH ENFORCEMENT. No persons shall interfere with any city staff member while engaged in the enforcement of this chapter.

53.03 CONTROLLING WEEDS AND GRASS. Except as provided elsewhere in this chapter, the following provisions shall apply:

1. Each owner and each person in the possession or control of any land within the City limits of the City of Robins, Iowa, shall cut or otherwise destroy all noxious weeds thereon and shall keep said lands free of such growth. Additionally, any plant material, plant, or growth, alive or dead, that should constitute or otherwise create a health, safety or fire hazard shall be promptly removed.
2. Each owner and each person in possession or control of any property within the City limits of the City of Robins, Iowa, shall be responsible to:

- A. Keep said property, along with parking adjacent thereto, alleys, public ways or areas up to the centerline of said ways free of any noxious weeds.
 - B. Keep grasses and weeds on said property mowed so that grass and weeds are less than nine (9) inches in height.
 - C. However, grass and weeds located on undeveloped land shall be mowed so that grass and weeds are less than eighteen (18) inches in height.
 - D. Farm crops, pasture, vineyards, orchards, garden plants, and ornamental plants in established planting beds may exceed the requirements of this chapter.
 - E. However, grass and weeds located within a “wooded area” as defined within this chapter need not be mowed and shall be left in their natural state, except that both noxious weeds and pests shall be removed or controlled and any plant material, plant, or growth, alive or dead, shall not otherwise create a health, safety, or fire hazard.
3. Each owner, occupant, or person in possession or control of property shall not deposit, place, sweep, blow, rake, or otherwise cause or allow any grass clippings, leaves, brush, branches, or other plant material, whether alive or dead, to be located upon or within any public street, alley, sidewalk, or other public right-of-way adjacent to such property, except as expressly authorized by the City for collection at designated times and in accordance with City requirements.
4. No owner or person in possession or control of any developed or undeveloped property shall allow plant material, plant, or growth, alive or dead, on such a lot to remain in such a state so as to constitute a fire hazard.

53.04 MANAGED NATURAL AREAS.

1. The owner or person in possession or control of any property within the City limits of the City of Robins, Iowa, may apply to have such land or portion thereof designated as a managed natural area. Prior to designating such an area, the Robins City Council shall consider the following factors:
- The grade or incline of said tract
 - The difficulty in controlling and/or maintain the landscaping of the area
 - Soil erosion impacts as a result of such a designation.
 - The potential impact on water drainage for the area.
 - Whether the proposed natural area conforms to the existing landscape of the immediate area
2. Managed natural areas as designated by the Robins City Council, need not be mowed and shall be left in their natural state, except that both noxious weeds and pests

shall be removed or controlled and any plant material, plant, or growth, alive or dead, shall not otherwise create a health, safety, or fire hazard.

3. Sidewalks, roadways, or other public ways that lie adjacent to or extend through a managed natural area must be open and free from any obstructions of view that may cause a hazard, and/or physical obstructions that may impede pedestrians or vehicular traffic.

4. Eligibility Criteria. A property owner may establish a Managed Natural Area subject to the following. The area must be:

- A. Located outside of the front yard of the property; and
- B. Set back at least 25 feet from the outside wall of a principle or accessory structure; and
- C. Set back at least 10 feet from any property line abutting a developed parcel; and
- D. The area must be contiguous and clearly defined.

5. Maintenance Requirements. All Managed Natural Areas shall be maintained as follows:

- A. Noxious weeds shall be controlled at all times, consistent with Iowa Code Chapter 317.
- B. The area shall be periodically managed to prevent uncontrolled spread onto adjacent property, including cutting, burning (where permitted), or other accepted vegetation management practices.
- C. Dead, diseased, or hazardous vegetation shall be removed.
- D. The area shall not create harborage for vermin or constitute a nuisance under City Code.

6. Boundary Buffer. A mowed or maintained buffer strip of not less than ten (10) feet shall be maintained along all public rights-of-way and along all property lines not immediately abutting a "wooded area" or other designated "managed natural area."

- A. The required setback or buffer may be reduced or modified upon submission of written consent from all abutting property owners and/or by finding of the city council that an exception should be made.
- B. Such consent by an abutting property owner, may be revoked upon written notice to the City, after which the property owner with the Managed Natural Area shall bring the property into

compliance with the above buffer requirements within 30 days. Consent does not run with the land and any new or subsequent owner of the abutting property may revoke consent at any time.

- C. The city council may at any time, and for any reason, revoke consent for an exception to the required setback or buffer, after which the property owner with the Managed Natural Area shall bring the property into compliance with the above buffer requirements within 30 days. Consent does not run with the land and any new or subsequent owner of the abutting property may revoke consent at any time.

7. Permit Required. Property owners shall submit a Managed Natural Area permit application to the City of Robins including:

A. A drawn site plan identifying:

- 1. Location and size of the managed natural area.
- 2. The proposed boundaries and buffers to the managed natural area.
- 3. The location and distance of the property boundaries relative to the managed natural area
- 4. The location and distance of any structures upon the property relative to the managed natural area.
- 5. Any existing waterways on the property.
- 6. Any steep grade or sloped areas that should be considered during the application process
- 7. The location of any other managed natural areas on the same or abutting properties
- 8. Photographs depicting the property and area surrounding the managed natural area.

B. A written statement as to why the managed natural area is desired/needed.

C. A written description as to the maintenance approach to utilized for the managed natural area.

D. The City may approve, deny, or conditionally approval permit applications so as to ensure compatibility with surrounding areas.

53.05 EXEMPT PROPERTY.

1. Property within the City of Robins, which is owned by a railroad company and currently used for the operation of the railroad system is exempt from the provisions of this chapter. *See Iowa Code §§ 364.12(2)(f) and 327F.27.*
2. Property owned and/or maintained by the City of Robins is exempt from the provisions of this chapter.

53.06 ANNUAL NOTICE. City staff shall give notice by publication prior to the 1st of April in a daily newspaper of general circulation of the City, notifying property owners or occupants in possession or control of lands, within the City of Robins, Iowa, of the duty to maintain all weeds, grasses, vines, brush, bushes, non-purposefully planted trees less than 3 inches in diameter and noxious weeds, or other growths as required under this chapter. The notice will further state that the city will cut or destroy such weeds, grasses, vines, brush, bushes, non-purposefully planted trees less than 3 inches in diameter, and noxious weeds as defined by the State Code, or other growths, and bill or assess the cost thereof to the property owner or occupant in possession or control of lands, within the City of Robins, Iowa and that the costs will be assessed against the property in accordance with this chapter.

Once the annual notice is published, the City may, but is not required to, provide additional notice to the property owner, or occupant in possession or control of any land in the form of a door hanger or letter sent via regular mail notifying the person of violations of this Chapter. If the City elects to provide additional written notice, said notice shall include the following:

- The location of the property.
- That the property owner or occupant in possession or control of the land is in violation of the City weed and grass control ordinance;
- That the property owner or occupant in possession or control of the land is ordered to cut weeds and grasses within four (4) days of the receipt of notice;
- That if the property owner or occupant in possession or control of the land does not cut the weeds and grasses, that the City or its authorized agent will cut the weeds and grasses and assess the cost of the cutting, including a reasonable administrative fee, against the owner or occupant in possession or control of the land;
- That the property owner or occupant in possession or control of the land will be given an opportunity to pay the assessment, but if it is not paid, will be assessed against the property for collection in the same manner as property tax;
- That no further notice shall be given prior to removal of weeds and grasses during the current calendar year;
- That the property owner or occupant in possession or control of the land may request a hearing before the Robins City Council or its designated representative within 4 days of the receipt of notice.

53.07 PENALTY. Pursuant to Section 364.12 of the Code of Iowa, upon the failure of the owner of such lot or lots to destroy the weeds and noxious growth upon any lot or parking adjacent thereto as required herein, such destruction shall be made by the City after notice, and the costs assessed to such owner according to the most recent City Fees resolution adopted by City Council. Any property owners who fail to mow their properties, thus allowing the same to be mowed by the City or their agents, and who do not provide payment for the mowing as required within thirty (30) days from the date of sending the notice, will be assessed by the City for such costs, which will be collected in the same manner as general property taxes.

SECTION 2. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal code, City of Robins, Iowa and made a part of said Code as provided by law.

SECTION 3. Effective Date. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED THIS 20th day of July, 2026.


Chuck Hinz, Mayor

ATTEST:



Lisa Goodin, City Clerk/Treasurer

