

ORDINANCE NO. 2023-04

**ORDINANCE AMENDING PROHIBITED NUISANCES
AND STRIKING SECTION 92.02**

WHEREAS, the Town of Nashville (“Town”) has in effect an ordinance prohibiting nuisances such as weed and other rank vegetation;

WHEREAS, the Town finds that it is in the Town’s best interest to include the mowing of grass as it is necessary to prevent insects and other noxious pests, and to help beautify the town;

WHEREAS, the Town believes that in order to achieve grass mowing on a regular basis that an ordinance is needed;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE, INDIANA AS FOLLOWS:

AMEND SECTON 92.01 (D) to read:

The failure of any landowner, whether the owner of the real estate or a renter, hereinafter referred to as the “Offender”, to cut and remove weeds and other rank vegetation from his or her property, plus failing to keep the grass mowed to a maximum height of eight inches; or

STRIKING SECTION 92.02 and replacing as follows:

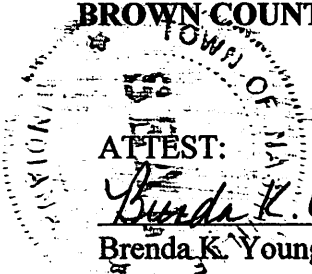
Section 92.02 VIOLATIONS

- (A) The Town Administrator shall issue two five day notices to the Offender by registered mail to the property address, or to their last known address or to the property owner’s address if the Offender is a renter.
- (B) If the land owner or renter fails to remove the nuisance within the time prescribed, the Administrator shall issue a fine of \$150. In the event that the land owner or renter fails to remove the nuisance within one week of the issuance of the fine, the fine shall accrue at the rate of \$25.00 per day until paid to the General Fund of the Town. In the event the nuisance continues, the fine shall accrue and a statement of costs shall be placed on the real estate property tax bill against the land of the landowner, and the amount shall be collected as taxes are collected, and when collected shall be dispersed to the General Fund of the Town.
- (C) If the Offender continues to fail to remove the nuisance after thirty days, they shall be deemed to be flagrantly irresponsible or incompetent and further civil action may be taken by the Town Attorney.

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PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE,
BROWN COUNTY, INDIANA, THIS 18th DAY OF MAY, 2023.

ATTEST:


Brenda K. Young
Brenda K. Young
Clerk-Treasurer

Jane Gore ☒ yea ☐ nay ☐ abstain
Council President Jane Gore

Tyra Miller ☒ yea ☐ nay ☐ abstain
Council Vice-President Tyra Miller

Anna Hofstetter ☒ yea ☐ nay ☐ abstain
Council Member Anna Hofstetter

Dave Rudd ☒ yea ☐ nay ☐ abstain
Council Member Dave Rudd

Andi Wilson ☒ yea ☐ nay ☐ abstain
Council Member Andi Wilson

Wanda E. Jones
Wanda E. Jones
Town Attorney