

CITY OF AURORA

ORDINANCE NO. 358

AN ORDINANCE AMENDING ORDINANCE NO. 212 OF THE ORDINANCES OF THE CITY OF AURORA, SD, AND PERTAINING TO WEED CONTROL IN THE CITY

BE IT ORDAINED BY THE MUNICIPALITY OF AURORA, BROOKINGS COUNTY, SOUTH DAKOTA.

Section1.Weeds:Duty of Owner

No owner of any lot, place or area within the City or the agent of such owner or the occupant of such lot, place, or area, shall permit on such lot, place or area or upon any sidewalk abutting the same any weeds, grass or deleterious or unhealthful growths or other noxious matter that may be growing, lying or located thereon, and the growing of such weeds or other noxious or unhealthful vegetation is hereby declared to be a nuisance.

Section2.Nuisance Declared

All weeds or plants declared to be primary noxious weeds or secondary noxious weeds by the State Weed Board and all other weeds suffered or allowed to grow during the growing season and all grass allowed to grow to a length exceeding six (6) inches shall be deemed noxious and unhealthy vegetation and hereby declared to be nuisances.

Section3:Duty to Cut Weeds and Tall Grass

It shall be the duty of the occupant, person in charge of, or owner of any lot in the City to keep such lot free from noxious vegetation and to cut such noxious vegetation at such time as may be necessary to prevent the growth of the weeds and to prevent the grass from growing more than six(6) inches in length. Hay which is periodically mowed and removed from public or private property shall not constitute a nuisance under this section as long as it is properly zoned.

Section4:Noticeto Destroy

A City Superintendent is hereby authorized and empowered to notify in writing the owner of any such lot, place or area within the city or the agent of such owner or the occupant of such premises, to cut, destroy or remove within five (5) days any such weeds, grass or deleterious or unhealthful growths or other noxious matter found growing, lying or located on such property or upon the sidewalk abutting same. Such notice may be served by personal service, by registered mail, or by posting notice in a conspicuous place within the City limits of the City of Aurora, South Dakota.

Section5 :Action upon Non-Compliance.

Upon failure, neglect or refusal of any owner, agent or occupant so notified to comply with said notice within five (5) days after the service thereof, the City Superintendent is hereby authorized and empowered to provide for the cutting, destroying, or removal of such weeds, grass or deleterious unhealthful growths or other noxious matter and to defray the cost of the destruction thereof by special assessment against the property.

Section6:Weed Removal Costs

If the owner of occupier of the land fails to cut the weeds, as provided for in the preceding section, the City shall cut the weeds. The cost to the landowner shall be as set by Resolution of the City.

Section7.Costs Assessed

The City Superintendent shall cause an account to be kept against each lot for the destruction of noxious weeds and mowed grass upon said lot as herein provided and shall certify said account showing the account, the description of the property and the owner thereof to the County Auditor who shall there upon add such assessment as a special assessment together with the regular assessment to the County Treasurer to be collected as municipal taxes for general purposes. Said assessment shall be subject to review and equalization the same as assessments or taxes for general purposes.

Section8. Recovery by City

In lieu of spreading the cost of the destruction of such weeds and grass and other deleterious matter against said property in the discretion of the city council, said amount may be recovered in a civil action against the owner or occupant of such property.

Section9. Noxious Plants and Weeds Defined

The following plants and weeds shall be deemed to be noxious, dangerous and unhealthful vegetation to - wit: AU Species of rag weed, all species of cockle burrs, all species of tumbleweeds, all species of thistles, dandelions, plantains, sweet clover, wild morning glory, black mustard and pig weed.

Section10: Penalty

Failure to cut vegetation and grass or remove noxious weeds, as set forth in this ordinance, shall constitute a violation of this ordinance. Subsequent violations shall be subject to fines and costs as set forth in a Resolution of the City.

All ordinances, parts of ordinances, or resolution in conflict here with are hereby expressly repealed.

This ordinance shall be in full force and in effect twenty (20) days from and after its passage, approval, and publication as provided by law.

II.

Any or all ordinances in conflict herewith are hereby repealed.

FIRST READING: September 8th, 2025

SECOND READING: October 6, 2025

PUBLISHED: _____

CITY OF AURORA, SOUTH DAKOTA

Josh Jones, Mayor

ATTEST:

Shannon Freng, Finance Officer