



Item: Resolution 9989 to Levy and Assess the Cost of Removal and Disposal of Nuisance Weeds in the City of Great Falls, Montana from June 1, 2011 to May 30, 2012

From: Judy Burg, Taxes and Assessments

Initiated By: Annual Assessment Process

Presented By: Melissa Kinzler, Fiscal Services Director

Action Requested: City Commission Adopt Resolution 9989

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (adopt/deny) Resolution 9989.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls for the vote.

Staff Recommendation: Staff recommends the City Commission adopt Resolution 9989.

Background: From May through October of each year, nuisance weed violations are reported to the Public Works Department, either by phone or through e-mail on the City Website. The complaints include uncared for weeds and grasses in alleys, boulevards, vacant lots, yards, etc within the City limits. The Nuisance Weed Program involves investigation and notification of verified weed and grass violations. The investigation process involves an on-site inspection followed by the determination of the legal ownership of the properties. Once ownership of the properties has been established, notification letters of nuisance weed violations are prepared and mailed.

In accordance with the City of Great Falls Municipal Code 8.44.040, owners are given seven business days from the date of the notification letter to comply with the weed ordinance. After the allotted time has expired, properties are once again inspected. Properties found not in compliance are documented and scheduled for cutting by the City crew. Photographs are taken before cutting to verify violations and again when the work is done.

In June 2011 through May 2012, 2,329 notices of weed violations were mailed to individual property owners for weed cutting charges. Of the notices sent out, 73 properties were actually cut and \$32,400 was the total amount billed by the City for the services provided. Exhibit “A” of

the Resolution lists 28 remaining property owners who will be assessed for a total amount of \$11,260.00, for non-payment after monthly billings. Any additional payments made prior to the processing of the tax file will be applied accordingly to avoid placing an assessment on the property owner's tax bill.

Section 7-22-4101, MCA, authorizes the City Commission to levy the cost of removing nuisance weeds against the properties if payment is not made.

Concurrences: Public Works staff is responsible for the operation and related expenses for the Nuisance Weed Program. Fiscal Services staff is responsible for assessing and collecting the revenues.

Fiscal Impact: Owners whose properties are cut by the City crews and billed for actual time spent cutting at the rate of \$200.00 per hour (minimum of one hour.) This rate was established when the Commission adopted Resolution 9090 on June 20, 2000. Adoption of Resolution 9989 will allow the City to reimburse the cost of work each year in the Nuisance Weed Program.

Alternatives: The City Commission could choose to deny the adoption of Resolution 9989; however, the reduction in services to the community could be harmful and render land unfit for agriculture, forestry, wildlife, native plant communities and the general public.

Attachments/Exhibits: Resolution 9989
Exhibit "A" Unpaid Weed Charges

Cc: Debbie Kimball, Program Specialist

RESOLUTION 9989

A RESOLUTION LEVYING AND ASSESSING THE COST OF REMOVAL AND DISPOSAL OF NUISANCE WEEDS IN THE CITY OF GREAT FALLS, MONTANA FROM JUNE 1, 2011 TO MAY 31, 2012

WHEREAS, the City Commission of the City of Great Falls declares the properties listed on the attached Exhibit A were issued a notice of weed violation; and,

WHEREAS, the City Commission of the City of Great Falls declares after due notice and re-inspection, the weeds had not been removed and were subsequently cut by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

1. The costs of said weed removal and disposal are hereby assessed upon the aforementioned properties in accordance with City of Great Falls Municipal Code 8.44.060 and Section 7-22-4101, MCA.
2. The description of each lot or parcel of land which is hereby levied upon and assessed, with the name of the owner and the amount of each assessment to be made, is as set out in the Assessment List, attached as Exhibit A, which said list is incorporated herein and made a part of this Resolution by this reference.

PASSED by the Commission of the City of Great Falls, Montana, on this 4th day of September, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Nielsen
Interim City Attorney

**UNPAID WEED CHARGES
ASSESSMENTS FY 2013
RESOLUTION #9989 - EXHIBIT "A"**

PARCEL NO.	SUB DIV	LOT	BLOCK	PROPERTY ADDRESS	PROPERTY OWNER	MAILING ADDRESS	CITY	STATE	ZIP	ASSESSED AMT	
1	14850	GF11	11	98	2513 8th Ave N	Schaar, Shawn J. & Harlana M.	2513 8th Ave N	Great Falls	MT	59401	200.00
2	65550	GF4	2	170	2104 6th Ave N	S & K Land Company LLC	224 Skyline Dr NE	Great Falls	MT	59404	1,200.00
3	70600	GF3	3	176	1510 6th Ave N	Sammons, John J	1510 6th Ave N	Great Falls	MT	59401	200.00
4	74450	GF1	5	181	1020 6th Ave N	Donaldson, Brandy N	1020 6th Ave N	Great Falls	MT	59401	200.00
5	81650	GFO	E 1/2 of Lot 4	192	514 5th Ave N	Grove, Travis G & Stephani D	231 US Highway 89	Vaughn	MT	59487	600.00
6	144300	GF11	3	288	2408 2nd Ave N	Thompson, William C & Jennifer A	310 5th St N, Apt 21	Great Falls	MT	59401	300.00
7	149850	GF3	W 2/3 of Lot 5	295	1716 2nd Ave N	Brown, Justin Ray & Christina Joy	1716 2nd Ave N	Great Falls	MT	59401	200.00
8	151200	GF3	S 50' of Lot 1 N 1/2 of E4.85' of Lot 6	297	113 15th St N	Sunrise Financial Group LLC	P. O. Box 1952	Great Falls	MT	59403	200.00
9	220600	GFO	- N 1/2 of Lot 7	410	826 2nd Ave S	Mullins, Daniel G.	P. O. Box 1288	Craigsville	WV	26205	400.00
10	222770	GFO	7	413	No Address Assigned	Mossbarger Nowlin Ventures LLC	9671 Kenora Ln	Spring Valley	CA	91977	200.00
	236200	GFO	3	448	708 4th Ave S	Mehan, Douglas A & Jessica	708 4th Ave S	Great Falls	MT	59405	200.00
11	239600	GFO	E 14' of Lot 6 - Lot 7	452	400 4th St S	Paul Etal, John P	4701 Huckleberry Dr	Great Falls	MT	59404	200.00
12	251250	GFO	6	471	822 6th Ave S	Garton, Madalyn M.	822 6th Ave S	Great Falls	MT	59405	600.00
13	258700	GFO	12	482	509 8th Ave S	Neighborhood Housing Services GF Inc.	509 1st Ave S	Great Falls	MT	59405	400.00
14	269450	GFO	9	498	621 9th Ave S	Strickland, Charles & Davelyn	86-266 Alamihi St	Waianae	HI	96792	1,800.00
15	313200	GF5	3	606	1018 1st Ave NW	US Bank National Association	4801 Frederica St West B	Owensboro	KY	42301	200.00
16	315050	GF5	Lots 10 - 14	609	1325 Central Ave W	Williamson Fencing Inc	1325 Central Ave W	Great Falls	MT	59404	200.00
17	375100	BEF	3	13	2612 1st Ave S	Witsoe, Michael M & Jane A V	2612 1st Ave S	Great Falls	MT	59401	400.00
18	387200	BEF	7	26	2726 3rd Ave S	Matsko, Arthur D & Lori A	2726 3rd Ave S	Great Falls	MT	59405	200.00
19	429856	BEP	3	23	2708 Jasper Rd	Hightower, William D	513 50th St S	Great Falls	MT	59405	400.00
20	527249	CP2	21	4	2608 16th St S	Bolender, Joshua L & Heather J	2608 16th St S	Great Falls	MT	59405	200.00
21	600150	COM	1A	9	1511 3rd Ave SW	US Bank National Association	4801 Frederica St West B	Owensboro	KY	42301	600.00
22	1084800	MNT	15	2	46 Treasure State Dr	Zigan, Abraham A & Janice A	1321 7th St S, Apt 47	Great Falls	MT	59405	600.00
23	1394000	N32	11	5	529 1st Ave NE	Carson, Kelly L.	3524 11th Ave S, Apt 5	Great Falls	MT	59405	300.00
24	1518300	SHG	1	3	3800 8th Ave S	Buckingham, Daniel Marlow & Brenda	125 S 3rd W	Preston	ID	83263	400.00
25	1830800	WGF	14	32	1401 2nd Ave NW	Murray, Mike L & Penny L	P. O. Box 2146	Great Falls	MT	59403	200.00
26	1837500	WGF	12	40	917 1st Ave NW	Bedecs, Martin J	2214 7th Ave N	Great Falls	MT	59401	200.00
27	2015000	FIN	Lots 5 - 7 IN NE/4 of Township 21, Range 3E, Section 36, Mark 1A	2	Address Unassigned	Fenton, Thomas A	2310 Basin St	CRP Christi	TX	78414	260.00
28	2598400				Address Unassigned	Stender, Thomas & Shirley	513 32nd Ave NE	Great Falls	MT	59404	200.00
TOTAL										\$11,260.00	