



**Item:** Resolution 10036 to Levy and Assess the Cost of Removal and Disposal of Nuisance Weeds in the City of Great Falls, Montana from June 1, 2012 to May 31, 2013

**From:** Judy Burg, Taxes and Assessments

**Initiated By:** Annual Assessment Process

**Presented By:** Melissa Kinzler, Fiscal Services Director

**Action Requested:** City Commission Adopt Resolution 10036

---

**Suggested Motion:**

1. Commissioner moves:

“I move the City Commission (adopt/deny) Resolution 10036.”

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

---

**Staff Recommendation:** Staff recommends the City Commission adopt Resolution 10036.

**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 2012 through May 2013, 2,853 notices of weed violations were mailed to individual property owners for weed cutting charges. Of the notices sent out, 75 properties were actually cut and \$34,000 was the total amount billed by the City for the services provided. Exhibit “A” of

the Resolution lists 31 remaining property owners who will be assessed for a total amount of \$16,700, 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 10036 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 10036; 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 10036  
Exhibit "A" Unpaid Weed Charges

Cc: Debbie Kimball, Program Specialist  
Jim Rearden, Public Works Director

## **RESOLUTION 10036**

A RESOLUTION LEVYING AND ASSESSING THE COST OF REMOVAL AND DISPOSAL OF NUISANCE WEEDS IN THE CITY OF GREAT FALLS, MONTANA FROM JUNE 1, 2012 TO MAY 31, 2013

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 AND ADOPTED by the Commission of the City of Great Falls, Montana, September 3, 2013.

---

Michael J. Winters, Mayor

ATTEST:

---

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

---

Sara R. Sexe, City Attorney

**WEED CHARGES  
ASSESSMENTS FY 2013  
RESOLUTION #10036 - EXHIBIT "A"**

PARCEL #	SUB DIV	LOT	BLK	PROPERTY ADDRESS	PROPERTY OWNER	MAILING ADDRESS	CITY	ST	ZIP	ASSESSED AMT
36650	GFO	W 1/2 of Lot 5	127	916 8th Ave N	Carter, Julene B	918 8th Ave N	Great Falls	MT	59401	200.00
70600	GF3	3	176	1510 6th Ave N	Ahmanson Obligation Company	3415 Vision Dr	Columbus	OH	43219	700.00
81650	GFO	E 1/2 of Lot 4	192	514 5th Ave N	Sunrise Financial Group LLC	PO Box 1952	Great Falls	MT	59403	200.00
87800	GF1	Lots 8 - 9	201	1423 4th Ave N	Boyd, Daniel K & Nicole A	157 Lost Trail Pl	Idaho Falls	ID	83404	1,200.00
88200	GF3	3	202	1510 5th Ave N	Hansen, Daniel J & Angela L	1510 5th Ave N	Great Falls	MT	59401	200.00
147500	GF4	8	292	2025 1st Ave N	Edmundson, Joseph M & Edie L	6721 Northface Ln	Colorado Springs	CO	80919	300.00
151200	GF3	S50' of Lot 1	297	113 15th St N	Frates, Larry E.	PO Box 1493	Great Falls	MT	59403	200.00
171400	GF4	2	333	2206 1st Ave N	Professional Brokers of Montana Inc.	PO Box 1725	Great Falls	MT	59403	700.00
175650	GF12	6	338	2720 1st Ave N	Clark, Bradford K	2720 1st Ave N	Great Falls	MT	59401	400.00
247000	GF1	S 1/2 of Lot 7	462	510 11th St S	Witsoe, Gary A	510 11th St S	Great Falls	MT	59405	200.00
269450	GFO	9	498	621 9th Ave S	Strickland, Charles & Davelyn	86-266 Alamihi St	Waianae	HI	96792	1,000.00
303200	GF5	10	582	1309 2nd Ave SW	Harshaw, Glenn E	721 3rd Ave NW, Apt 1	Great Falls	MT	59404	200.00
366800	BEF	6	7	3120 Central Ave	Sunrise Financial Group LLC	PO Box 1952	Great Falls	MT	59403	400.00
373800	BEF	5	12	2716 1st Ave S	Sunrise Financial Group LLC	PO Box 1952	Great Falls	MT	59403	300.00
375100	BEF	4	13	2612 1st Ave S	Witsoe, Michael M & Jane A V	2612 1st Ave S	Great Falls	MT	59401	200.00
429856	BEP	3	23	2708 Jasper Rd	Hightower, William D	513 50th St S	Great Falls	MT	59405	200.00
440900	BO1	1	6	1648 7th Ave NW	Price ETAL, Robert J	1508 23rd Ave S	Great Falls	MT	59405	200.00
441000	BO1	2	6	1644 7th Ave NW	Price ETAL, Robert J	1508 23rd Ave S	Great Falls	MT	59405	200.00
487700	BOS	9	20	3321 3rd Ave N	Buckhalter, Robert R & Patricia E	605 Aspen Loop Rd	West Yellowstone	MT	59785	200.00
496000	BOS	14	26	201 - 209 36th St N	Lady Bug Investments LLC	414 24th St S	Great Falls	MT	59405	300.00
507900	BOS	11	35	3613 1st Ave N	Soundview Home Loan Trust 2006 EQ2 and Ocwen Loan Servicing LLC	12650 Ingenuity Dr	Orlando	FL	32826	600.00
508920	BOS	10	36	3715 1st Ave N	Steele, Patricia L	3715 1st Ave N	Great Falls	MT	59401	500.00
848800	FOX	5	1	811 Chickadee Ct	Freedom Mortgage Corporation	3637 Sentara Way Ste 303	Virginia Beach	VA	23452	800.00
1273700	PPA	Lots 23 - 24	9	1409 18th Ave S	Bluth LLC	8830 Deersky Ranch Trl	Nampa	ID	83686	300.00
1394000	N32	11	5	529 21st Ave NE	Carson, Kelly L	3524 11th Ave S, Apt 5	Great Falls	MT	59405	200.00
1420200	N44	36	9	617 25th Ave NE	Munns, Barry D	617 25th Ave NE	Great Falls	MT	59404	200.00
1622000	ST2	E 1/2 of Lot 6 and Lot 7	10	900 52nd St S	Seaman Etal, Michael V.	4000 Hwy 2 East	Kalispell	MT	59901	600.00
1810400	WGF	1B	16	1204 5th Ave NW	Goulden, Thomas M.	1204 5th Ave NW	Great Falls	MT	59404	400.00
1821400	WGF	12	23	1211 3rd Ave NW	US Bank National Association	4801 Frederica St West B	Owensboro	KY	42301	200.00
2598400		In NE/4 of Twn 21, R 3E, Sec 36	Mark 1A	Address Unassigned	Stender, Thomas & Shirley	513 32nd Ave NE	Great Falls	MT	59404	200.00
2622300		In S/2 NENW Twn 20, R 4E, Sec 9	Mark 7F	4300 2nd Ave N	Shelton Patty K Family LTD Partnership	4000 US Highway 2E	Kalispell	MT	59901	5,200.00

<b>TOTAL</b>	<b>\$16,700.00</b>
--------------	--------------------