

**TOWN OF BERTHOUD
ORDINANCE NO. 1271**

**AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO AMENDING
PORTIONS OF CHAPTER 16 OF THE BERTHOUD MUNICIPAL CODE
GOVERNING WEED AND BRUSH GROWTH**

WHEREAS, the Town of Berthoud Municipal Code already regulates the growth of weeds, brush, and undesirable plants on property within the Town; and

WHEREAS, the Town Board of the Town of Berthoud desires to amend the already existing code to add clarity to the regulation of said weeds, brush, and undesirable plants; and

WHEREAS, the Town Board recognizes the benefit to its citizens of clarity in the code provisions of the Town; and

WHEREAS, the Town Board finds that the growth of weeds, brush, and undesirable plants into sidewalks, streets, public rights of way, and alleys can create a public health issue and damage the aesthetic appeal of the Town of Berthoud; and

WHEREAS, the Town Board hereby determines that this ordinance is necessary for the health, safety, and general welfare of the residents of the Town;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF BERTHOUD, COLORADO THAT:

Section 1. The definition of “Person or Occupant” located in Chapter 16 section 16.1 of the Berthoud Municipal Code is repealed.

Section 2. The definition of “Undesirable Plant” located in Chapter 16 section 16.1 of the Berthoud Municipal Code is amended to read as follows: Undesirable Plant means any noxious species of plant as designated by the Colorado Department of Agriculture.

Section 3. The definition of “Desirable Vegetation” is added to Chapter 16 section 16.1 of the Berthoud Municipal Code to read as follows: Desirable Vegetation means any grass, plant, or shrub that is not an “Undesirable Plant” and that is grown in maintained gardens or in maintained landscape features for decorative purposes; or, any grass, plant or shrub that is not an “Undesirable Plant” and that is grown in maintained gardens or in maintained landscape features for the purpose of harvesting and consuming.

Section 4. Chapter 16 section 16.2 is amended to read as follows:

16.2 - Containers Required

It shall be the duty of all persons in charge of real property, and all other persons producing or having trash, to provide and keep watertight garbage containers of galvanized metal or other