

# **WEED AND LEAVES POLICY**

## **Established by the HOA Board**

**JANUARY 2023**

**Pursuant to the “RESTRICTIONS OF SEVEN BAR NORTH A DECLARATION OF RESTRICTIONS, COVENANTS, AND CONDITIONS FOR THE CREATION AND MAINTENANCE OF A PLANNED RESIDENTIAL DEVELOPMENT”.**

**Section 7.01: Owner’s Responsibility to repair:**

*“Each Owner is responsible for the maintenance and repair of his dwelling, his lot, and his landscaping”*

**Section 7.04: Maintenance of Landscaping:**

*“Each Owner shall maintain the landscaping on his lot in a neat and attractive manner. All grass, mass plantings and other plantings shall be mowed, trimmed, and cut as necessary at regular intervals”*

**Pursuant to the City of Albuquerque Ordinance:**

**§ 9-8-4 GROWTH OR ACCUMULATION OF WEEDS AND LITTER.**

<https://www.cabq.gov/planning/code-enforcement-zoning/nuisance-weed-removal>

It shall be unlawful for any owner of any occupied or unoccupied lot or tract of land within the city to permit or maintain on any such lot or tract of land, including the area located between the property line and the middle of the alley adjacent to the property, and the area located between the property line and the curb, the area of any curbs or sidewalks located on the property, and the area located ten feet outside the property line where there is no curb, any growth of weeds whose height, width or spread is greater than four inches, or any accumulation of weeds and/or litter.

('74 Code, § 6-15-4) (Ord. 89-1967; Am. Ord. 40-1968; Am. Ord. 32-1976; Am. Ord. 4-1992; Am. Ord. 57-2005; Am. Ord. 35-2011)

**§ 9-8-5 DUTY OF OWNER, LESSEE, OR OCCUPANT.**

[§ 9-8-5 DUTY OF OWNER, LESSEE, OR OCCUPANT. \(amlegal.com\)](https://www.amlegal.com)

It shall be the duty of any owner of any occupied or unoccupied lot or tract of land to cut the weeds and remove the cuttings or any accumulation of weeds to be removed as often as necessary in order to comply with the provisions set out in § 9-8-4.

('74 Code, § 6-15-5) (Ord. 89-1967; Am. Ord. 32-1976; Am. Ord. 4-1992)

## **WEEDS**

Owners are encouraged to treat and remove weeds on their lot continuously throughout the growing season to ensure that they do not spread seeds to other lots and/or become an aesthetic nuisance. A lot that is identified by the Homeowners' Association as having weeds will result in a Courtesy Letter/fines as outlined in the [HOA Violation Procedures](#).

The Homeowners' Association will consider a lot has a weed problem when any growth of weeds whose height, width or spread is greater than four inches, or any accumulation of weeds is observed.

## **LEAVES**

Owners are encouraged to remove leaves on their lot continuously throughout the fall /winter season. A lot that is identified by the Homeowners' Association as having leaves will result in a Courtesy Letter/fines as outlined in the [HOA Violation Procedures](#).

The Homeowners' Association will consider a lot has a leaves problem when leaves cover more than 50% of the front/side yard and/or there is a pile of leaves 3" or more in depth covering an area of at least 10 square feet.