

New Mexico Ordinance Research—Weeds

Source	Weed Height	Text				
International Property Maintenance Code	n/a	Preface: . . . This code is intended to establish provisions that adequately protect public health, safety and welfare. . . .				
		302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.				
Troublesome Weeds of New Mexico (NMSU)	n/a	<table><tr><td>Noxious – any foreign plant (not native to the U.S.) that has the potential to be harmful to crops, livestock, other useful plants and animals, agricultural interests, or public health.</td><td></td></tr><tr><td>Found in Los Alamos County: Bull thistle / <i>Cirsium vulgare</i> Canada thistle / <i>Cirsium arvense</i> Musk thistle / <i>Carduus nutans</i> Russian knapweed / <i>Acroptilon repens</i> Saltcedar / <i>Tamarix</i> spp. Russian olive <i>Elaeagnus angustifolia</i> Yellow toadflax / <i>Linaria vulgaris</i> Cheatgrass / <i>Bromus tectorum</i> Hoary cress / <i>Cardaria</i> spp. Perennial pepperweed / <i>Lepidium latifolium</i> Siberian elm / <i>Ulmus pumila</i> Tree of heaven / <i>Ailanthus altissima</i> Chicory / <i>Cichorium intybus</i></td><td>Found in Adjacent Counties: Black henbane / <i>Hyoscyamus niger</i> Diffuse knapweed / <i>Centaurea diffusa</i> Eurasian watermilfoil / <i>Myriophyllum spicatum</i> Purple loosestrife <i>Lythrum salicaria</i> Scotch thistle / <i>Onopordum acanthium</i> Spotted knapweed / <i>Centaurea biebersteinii</i> Dalmatian toadflax / <i>Linaria dalmatica</i> Dyers woad / <i>Isatis tinctoria</i> Leafy spurge / <i>Euphorbia esula</i> Yellow starthistle <i>Centaurea solstitialis</i> Giant cane / <i>Arundo donax</i> Halogeton / <i>Halogeton glomeratus</i> Hydrilla / <i>Hydrilla verticillata</i> Jointed goatgrass / <i>Aegilops cylindrical</i> Oxeye daisy / <i>Leucanthemum vulgare</i> Pampasgrass / <i>Cortaderia selloana</i> Poison hemlock / <i>Conium maculatum</i> Quackgrass / <i>Elytrigia repens</i></td></tr></table>	Noxious – any foreign plant (not native to the U.S.) that has the potential to be harmful to crops, livestock, other useful plants and animals, agricultural interests, or public health.		Found in Los Alamos County: Bull thistle / <i>Cirsium vulgare</i> Canada thistle / <i>Cirsium arvense</i> Musk thistle / <i>Carduus nutans</i> Russian knapweed / <i>Acroptilon repens</i> Saltcedar / <i>Tamarix</i> spp. Russian olive <i>Elaeagnus angustifolia</i> Yellow toadflax / <i>Linaria vulgaris</i> Cheatgrass / <i>Bromus tectorum</i> Hoary cress / <i>Cardaria</i> spp. Perennial pepperweed / <i>Lepidium latifolium</i> Siberian elm / <i>Ulmus pumila</i> Tree of heaven / <i>Ailanthus altissima</i> Chicory / <i>Cichorium intybus</i>	Found in Adjacent Counties: Black henbane / <i>Hyoscyamus niger</i> Diffuse knapweed / <i>Centaurea diffusa</i> Eurasian watermilfoil / <i>Myriophyllum spicatum</i> Purple loosestrife <i>Lythrum salicaria</i> Scotch thistle / <i>Onopordum acanthium</i> Spotted knapweed / <i>Centaurea biebersteinii</i> Dalmatian toadflax / <i>Linaria dalmatica</i> Dyers woad / <i>Isatis tinctoria</i> Leafy spurge / <i>Euphorbia esula</i> Yellow starthistle <i>Centaurea solstitialis</i> Giant cane / <i>Arundo donax</i> Halogeton / <i>Halogeton glomeratus</i> Hydrilla / <i>Hydrilla verticillata</i> Jointed goatgrass / <i>Aegilops cylindrical</i> Oxeye daisy / <i>Leucanthemum vulgare</i> Pampasgrass / <i>Cortaderia selloana</i> Poison hemlock / <i>Conium maculatum</i> Quackgrass / <i>Elytrigia repens</i>
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Oxford Reference	n/a	Rank Vegetation: Grasses and those weeds and growing vegetation which are excessively vigorous in growth, shockingly conspicuous, malodorous, and/or flagrant, or tend to overgrow or choke out plants that are more desirable.				

New Mexico Ordinance Research — Weeds

Community	Weed Height	Ordinance Text
New Mexico		
Los Alamos	18	<p>18-42. Weeds, brush piles, refuse and rubbish.</p> <p>(a) All weeds, brush piles, refuse and rubbish on a property within the county are hereby declared to be a nuisance and a menace to the health and safety of the inhabitants of the county. The accumulation of weeds, grasses, refuse and rubbish which constitutes or create a fire, health or safety hazard is unlawful and is hereby declared to be a nuisance. It is unlawful for the owner or occupants of any property to permit refuse, rubbish or brush piles to accumulate on any part of the property.</p> <p>(b) All premises and exterior property shall be maintained free from weeds or plant growth in excess of 18 inches. Weeds shall be deemed as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Allegations that weeds upon a property constitute a nuisance pursuant to this section shall set forth with particularity which plants are deemed weeds, why, and the abatement measures required, all of which shall be included in the notice issued pursuant to this chapter 18.</p>
Alamogordo	6	<p>Chapter 26 - VEGETATION</p> <p>26-03. - WEEDS</p> <p>26-03-010. - Definitions.</p> <p><i>Lot</i> shall mean any occupied or unoccupied piece of land of one-half (½) acre or less which is located within one-quarter (¼) of a mile of an occupied structure.</p> <p><i>Tract</i> shall mean any piece of occupied or unoccupied land with an area of more than one-half (½) acre.</p> <p><i>Weeds</i> shall mean all rank, noxious, poisonous, harmful, unhealthful vegetation, or any growth whatsoever of an offensive or unsightly nature, or which is deleterious to health, and shall include but is not limited to the following named plants: Pigweed (Amaranthus retroflexus), Russian Thistle (Salsola pestifer), Ragweeds (Ambrosia ssp.), Lambsquarter (Kenopodium spp.), Kochia.</p> <p>26-03-020. - Manager's authority to put plants on list of weeds.</p> <p>The city manager is hereby authorized and delegated the authority and duty to determine if any other plants, due to their unhealthy or unsightly attributes or consequences, should be placed on the list of weeds as defined in this article and shall put such plants on such list if it appears that such plants do come within the meaning of the term weeds as herein defined.</p> <p>26-03-030. - Unlawful growth or accumulation on lots.</p> <p>It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having charge or control of any lot within the city to permit or maintain on any such lot, 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, and the area located ten (10) feet outside the property line where there is no curb, any growth of weeds to a greater height than six (6) inches, or any other accumulation of weeds. It shall also be unlawful for a person having charge or control of any tract within the city to allow any growth of weeds to a greater height than six (6) inches on curbs and sidewalks located on their property as well as the area adjacent to and five (5) feet back of the curbs, sidewalks and streets.</p>

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		<p>26-03-040. - Unlawful growth or accumulation on tracts.</p> <p>It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any such owner, lessee or occupant having charge or control of any tract within the city to permit or maintain on any such tract, including the area located between the property line and the middle of the alley adjacent to the property line and curb and the area located ten (10) feet outside the property line where there is no curb, any accumulation of weeds, which in the opinion of the code enforcement supervisor is a fire hazard; it shall also be unlawful for a person having charge or control of any tract within the city to allow any growth of weeds to a greater height than six (6) inches on curbs and sidewalks located on their property as well as the area adjacent to and five (5) feet back of the curbs, sidewalks and streets and from all property lines. If a tract has been completely cleared, it must be kept in the same condition as a lot thereafter.</p>																
Albuquerque	4	<p>Chapter 9: HEALTH, SAFETY, AND SANITATION</p> <p>9-8-3 DEFINITIONS.</p> <p>WEEDS. All rank, noxious, poisonous, harmful, unhealthful vegetation, deleterious to health, and shall include but is not limited to the following named plants: (Note: Webpage shows photos of the 16 specific noxious weeds.)</p> <table><tr><td>(1) Pigweed (<i>Amaranthus retroflexus</i>).</td><td>(9) Spurge.</td></tr><tr><td>(2) Russian Thistle (<i>Salsola pestifer</i>).</td><td>(10) Silverleaf Nightshade (<i>Solanum elaeagnifolium</i>).</td></tr><tr><td>(3) Ragweeds (<i>Ambrosia spp.</i>).</td><td>(11) Puncture Vine.</td></tr><tr><td>(4) Lambsquarter. (<i>Kenopodium spp.</i>).</td><td>(12) Field Bind Weed (<i>Convolvulus arvensis</i>).</td></tr><tr><td>(5) Kochia.</td><td>(13) Purslane.</td></tr><tr><td>(6) London Rocket (<i>Sisymbrium irio</i>).</td><td>(14) Hoary Cress.</td></tr><tr><td>(7) Flix Weed (<i>Descurainia sophia</i>).</td><td>(15) Yellow Foxtail (<i>Setaria glauca</i>).</td></tr><tr><td>(8) Tansy Mustard (<i>Descurainia pinnata</i>).</td><td>(16) Green Foxtail (<i>Setaria Viridis</i>).</td></tr></table> <p>The Mayor is hereby authorized and delegated the authority and duty to determine if any other plants, due to their unhealthy or dangerous attributes or consequences, should be placed on the list of weeds as defined herein and shall put such plants on said list if, after a hearing based on the evidence before him it appears that such plants do come within the meaning of the term weeds as hereinbefore set out.</p> <p>9-8-4. GROWTH OR ACCUMULATION OF WEEDS AND LITTER.</p> <p>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.</p> <p>9-8-5. DUTY OF OWNER, LESSEE, OR OCCUPANT.</p> <p>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.</p>	(1) Pigweed (<i>Amaranthus retroflexus</i>).	(9) Spurge.	(2) Russian Thistle (<i>Salsola pestifer</i>).	(10) Silverleaf Nightshade (<i>Solanum elaeagnifolium</i>).	(3) Ragweeds (<i>Ambrosia spp.</i>).	(11) Puncture Vine.	(4) Lambsquarter. (<i>Kenopodium spp.</i>).	(12) Field Bind Weed (<i>Convolvulus arvensis</i>).	(5) Kochia.	(13) Purslane.	(6) London Rocket (<i>Sisymbrium irio</i>).	(14) Hoary Cress.	(7) Flix Weed (<i>Descurainia sophia</i>).	(15) Yellow Foxtail (<i>Setaria glauca</i>).	(8) Tansy Mustard (<i>Descurainia pinnata</i>).	(16) Green Foxtail (<i>Setaria Viridis</i>).
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Artesia	18	<p>5-1F-1: PUBLIC NUISANCE PROHIBITED AND DEFINED: It is unlawful to commit public nuisance. Public nuisance consists of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either injurious to public health, safety, morals or welfare, or interferes with the exercise and enjoyment of public rights including the right to use public property.</p> <p>5-1F-2: NUISANCES DECLARED: B. Hazardous Premises: It shall be unlawful for any person to permit in or about his premises weeds, briars, brush or any other solid waste to become in any way hazardous or injurious to public health or to obstruct pedestrian and vehicular traffic. C. Weeds: 1. Definition: "Weeds", as used in this subsection, shall mean all rank, noxious, poisonous, harmful, unhealthful vegetation, or any growth whatsoever of an offensive nature or which is deleterious to health and safety. 2. Height Restrictions; Accumulation Prohibited: It shall be unlawful for any owner, having charge or control of any lot within the city to permit or maintain on any such lot, 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, and the area located ten feet (10') outside the property line where there is no curb, any growth of weeds to a greater height than eighteen inches (18"), or any accumulation of weeds which may constitute a fire hazard or public nuisance. 3. Duty Of Owner To Remove: It shall be the duty of the owner to cut the weeds and remove the cuttings or any accumulation of weeds or cause the weeds to be cut and cause the cuttings of any accumulation of weeds to be removed as often as necessary in order to comply with the provisions set out in subsection D2 of this section. 4. Methods Of Controlling Weeds: The approved methods of controlling weeds shall be mowing, cutting, digging or other methods designed to remove the weeds but not disturb other vegetation or unnecessarily disturb the soil.</p>																														
Aztec	n/a	<p>14-3-8. Weeds, Responsibility of Owner. It shall be unlawful for any owner, agent, lessee, or occupant of any lots, tracts or parcels of land within the city to allow weeds to be planted, lie, grow or be located upon any such property or along any street adjoining the same between the property line and the curb line thereof. Weeds include, but are not limited to:</p> <table> <tr> <td>A-H</td><td>I-P</td><td>Q-Z</td></tr> <tr> <td>Absinth Wormwood</td><td>Jointed Goatgrass</td><td>Ragweed</td></tr> <tr> <td>Alfombrilla</td><td>Kochia</td><td>Ravenna grass</td></tr> <tr> <td>African Rue</td><td>Lambsquarter</td><td>Russian Knapweed</td></tr> <tr> <td>Black Henbane</td><td>Leafy Spurge</td><td>Russian Olive</td></tr> <tr> <td>Bull Thistle</td><td>London Rocket Mustard</td><td>Russian Thistle</td></tr> <tr> <td>Camelthorn</td><td>Malta Starthistle</td><td>Saltcedar</td></tr> <tr> <td>Canada Thistle</td><td>Musk Thistle</td><td>Sandbur</td></tr> <tr> <td>Cheatgrass</td><td>Mustard Weeds</td><td>Scotch Thistle</td></tr> <tr> <td>Chicory</td><td>Myrtle spurge</td><td>Siberian Elm</td></tr> </table>	A-H	I-P	Q-Z	Absinth Wormwood	Jointed Goatgrass	Ragweed	Alfombrilla	Kochia	Ravenna grass	African Rue	Lambsquarter	Russian Knapweed	Black Henbane	Leafy Spurge	Russian Olive	Bull Thistle	London Rocket Mustard	Russian Thistle	Camelthorn	Malta Starthistle	Saltcedar	Canada Thistle	Musk Thistle	Sandbur	Cheatgrass	Mustard Weeds	Scotch Thistle	Chicory	Myrtle spurge	Siberian Elm
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		<p> Cypress Spurge Dalmation Toadflax Diffuse Knapweed Dyer's Woad Eurasian Watermilfoil Field Bindweed Flix Weed Giant Salvinia Halogeton Green Foxtail Hoary Cress </p> <p> Oxeye Daisy Parrotfeather Perennial Pepperweed Pigweed Plumeless Thistle Poison Hemlock Puncture Vine Purple Loosestrife Purple Starthistle Purslane </p> <p> Silverleaf Nightshade Spotted Knapweed Spurge Tansy Mustard Teasel Tree of Heaven Tumble Weeds Yellow Foxtail Yellow Starthistle Yellow Toadflax </p>
		<p>14-3-9. Invasive Species and Noxious Weeds, Planting Prohibited</p> <p>It shall be unlawful for any owner, agent, lessee, or occupant of any lots, tracts or parcels of land within the city to allow invasive species or noxious weeds to be planted upon any such property. Invasive Species and Noxious Weeds include, but are not limited to: (List is same as in § 14-3-8).</p>
Carlsbad	12	<p>ARTICLE III. WEEDS</p> <p>22-62. DEFINITIONS.</p> <p>The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:</p> <p><i>Lot</i> shall mean those occupied or unoccupied pieces of land of one-half acre or less which are located within one-quarter mile of occupied structures.</p> <p><i>Owner</i> shall mean the person who has legal title to a lot or tract or the person who leases or occupies a lot or tract. "Owner" shall also mean any agent, servant, representative or employee of such owner, lessee or occupant.</p> <p><i>Tract</i> shall mean any piece of occupied or unoccupied land with an area of more than one-half acre.</p> <p><i>Weeds</i> shall mean all rank, noxious, poisonous, harmful, unhealthful vegetation or any growth whatsoever of an offensive nature or which is deleterious to health, and shall include but not be limited to the following named plants: (1) Pigweed (<i>Amaranthus retroflexus</i>). (2) Russian Thistle (<i>Salsola pestifer</i>). (3) Ragweeds (<i>Ambrosia</i> spp.). (4) Lambsquarter (<i>Kenopodium</i> spp.). (5) Kochia. The city administrator is hereby authorized and delegated the authority and duty to determine if any other plants, due to their unhealthy or dangerous attributes or consequences, should be placed on the above list of weeds and shall put such plants on such list if, after a hearing based on the evidence before him, it appears that such plants do come within the meaning of the term "weeds" as set out in this definition.</p>

New Mexico Ordinance Research — Weeds

Community	Weed Height	Ordinance Text
		<p>22-64. GROWTH OR ACUMULATION—LOTS. It shall be unlawful for any owner having charge or control of any lot within the city to permit or maintain on any such lot, 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, and the area located ten feet outside the property line where there is no curb, any growth of weeds to a greater height than 12 inches, or any accumulation of weeds.</p> <p>22-65. GROWTH OR ACULULATION—TRACTS. It shall be unlawful for any owner having charge or control of any tract within the city to permit or maintain on any such tract, 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 and the area located ten feet outside the property line where there is no curb, any accumulation of weeds, which in the opinion of the city administrator, constitutes a fire hazard.</p>
Clovis	12	<p>8.16.010 - Findings. . . . The protection of health, safety and welfare of the citizens of the city requires that the city enact provisions to bring all properties within the city into compliance with regulations on weeds, debris, rubbish, brush, and other objectionable, unsightly or unsanitary matter. Keeping the city free of weeds, debris, rubbish, brush and other objectionable, unsightly or unsanitary matter will improve the quality of life of city citizens by improving the aesthetics of the city, by eliminating harbor for rodents, by decreasing illegal dumping and littering, by eliminating fire hazards and by deterring crime by increasing visibility and access. Keeping the city free from weeds, debris, rubbish, brush, and other objectionable, unsightly or unsanitary matter will promote the development and beautification of the city.</p> <p>8.16.020 - Definitions. B. Nuisance. Whatsoever is dangerous to human life or health, whatsoever renders the ground, the water, or the air a hazard injurious to human life or health or that is offensive to the senses or that is detrimental to the public health is hereby declared to be a nuisance or any condition which provides harborage for rats, mice, snakes, and other vermin. E. "Weeds" means vegetation that because of its height is objectionable, unsightly or unsanitary, but excluding shrubs, bushes, trees, cultivated flowers, and cultivated crops.</p> <p>8.16.030 - General regulations. A. Nuisance. It is unlawful for an owner, or any person(s) having supervision or control of any lot, tract, parcel of land, occupied or unoccupied, improved or unimproved, within the corporate limits of the city, to suffer or permit a nuisance upon the premises or otherwise in, along, upon or across the adjacent sidewalk, street or alley to exist. B. Weeds. It is unlawful for any owner or any person(s) having supervision or control of any lot, tract, parcel of land, occupied or unoccupied, improved or unimproved, within the corporate limits of the city, to suffer or permit grass, weeds or any plant that is not cultivated to grow to a greater height than twelve inches on the individual lot, tract or parcel or to grow in profusion upon the premises or otherwise, in, along, upon or across the adjacent sidewalk, street or alley to a height greater than twelve inches.</p>

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Deming	12	4-1-1: DEFINITIONS
		WEEDS: All rank, noxious, poisonous, harmful, unhealthful vegetation, deleterious to the health, and shall include, but is not limited to, the following named plants: pigweed (<i>Amaranthus retroflexus</i>), Russian thistle (<i>Salsola pestifer</i>), ragweeds (<i>Ambrosia</i> spp.), lambsquarter (<i>Kenopodium</i> spp.), Kochia.
		4-1-2: REMOVAL OF WEEDS
		It shall be unlawful for any owner, lessee, or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant having charge or control 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 alley, 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 (10') outside the property line where there is no curb, any growth of weeds to a greater height of twelve inches (12") or any accumulation of weeds.
Eddy County	12	VEGETATION NUISANCE O-16-84
		4.0 Definitions
		4.7 "Nuisance Vegetation" as used in this ordinance shall mean, but not be limited to, vegetation/plants more than 12 inches in height; whether living, dead, or dying; that are a health hazard or a fire hazard if and/or when wind collected; or any vegetation that is a traffic hazard because it impairs the view of a public right-of-way or otherwise makes use of public right-of-way. This definition does not include agricultural crops, rangeland grasses, and plants that do not constitute a fire hazard or traffic hazard and ornamental grasses or plants commonly used for landscaping or xeriscaping which do not constitute a fire hazard or a traffic hazard.
		5.0 Growth or Accumulation--Lot
		It shall be unlawful for any owner, having charge or control of any lot within the County to permit or maintain on any such lot any growth of nuisance vegetation to a greater height than twelve (12) inches, or any accumulation of nuisance vegetation. However, this section shall not require the cutting or removal of nuisance vegetation more than 300 feet from any occupied structure on any lot greater than three acres.
		6.0 Duties of Owner
		It shall be the duty of the owner to cut or cause to be cut nuisance vegetation in order to comply with the provisions set out in Section 5 of this Ordinance. It shall be the duty of the owner to remove or cause to be removed the accumulation of nuisance vegetation to comply with the provisions set out in Section 5 of this Ordinance.

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Community	Weed Height	Ordinance Text
Elephant Butte	12	<p>95.02 DEFINITIONS.</p> <p>PROPERTY. Any real property within the city. When a portion of the property abuts on a public right-of-way or easement, the responsibility of the person in control for purposes of this section shall extend to the center of the public alley or easement, or back of street curb line, or edge of pavement, or at the edge of dirt roads; however, this shall not restrict in any manner, the maintenance of the right-of-way or easement by the city.</p> <p>PUBLIC RIGHT-OF-WAY. Any dedicated highway, street, road or alley designated and maintained for public vehicular and/or pedestrian use.</p> <p>WEEDS. As used in this chapter, shall include but not be limited to all plant growth at any stage of maturity which:</p> <ol style="list-style-type: none"> (1) Exceeds 12 inches in height, except healthy shrubs, healthy native vegetation flowers, herbs or produce for human consumption grown in a tended and cultivated garden; unless the vegetation by its density or location, constitutes a detriment to the health, benefit and welfare of the public and community, or a hazard to traffic, or creates a fire hazard, or otherwise interferes with the removal of weeds; (2) Regardless of height, harbors, conceals or invites deposits or accumulation of refuse or trash; (3) Gives off unpleasant or noxious odors; and (4) Is dead or diseased. WEEDS do not include indigenous vegetation which remains in an undisturbed state on undeveloped lots or large parcels of land. <p>95.03 GROWTH OF WEEDS.</p> <p>It shall be unlawful for any occupant, owner, or person in control of any lot or tract of land in the city to permit any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, to grow to a height exceeding 12 inches anywhere in the city. Any such plants or weeds exceeding the heights are hereby declared to be a nuisance, health hazard, and a fire hazard. Vegetation that creates a hazard by interfering with visibility at an intersection shall be removed.</p> <p>95.04 WEEDS; DUTY TO REMOVE.</p> <p>It shall be the duty of any occupant, owner, or person in control to forthwith cut and remove the weeds from the property owned by him or her or under his or her control.</p>
Espanola	8	<p>254-1 NUISANCE</p> <p>Any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:</p> <ol style="list-style-type: none"> A. Injures or endangers the comfort, repose, health or safety of others; B. Offends decency; C. Is offensive to the senses; D. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; E. In any way renders other persons insecure in life or the use of property; or F. Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

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Community	Weed Height	Ordinance Text
		302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of [EIGHT (8) INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.
Estancia	n/a	SECTION 4. PURPOSE. A. It is the purpose of this ordinance to protect the health, safety, morals or welfare of the residents of the Town by eliminating public nuisances and protecting property from blight and deteriorating conditions by establishing minimum standards governing the maintenance, appearance, and condition of all residential and non-residential premises.
		SECTION 5. DEFINITIONS. F. Public Nuisance. As specified in NMSA 1978, § 30-8-1 (1963), a public nuisance consists of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either: (i) injurious to public health, safety, morals or welfare; or (ii) interferes with the exercise and enjoyment of public rights, including the right to use public property.
		SECTION 7. NUISANCES DECLARED. The maintaining, using, placing, depositing, leaving, or permitting to be or remain on any public or private property of any of the following items, conditions, or actions, is declared to be and constitute a public nuisance: A. Overgrown vegetation that impedes passage of or endangers vehicular or pedestrian traffic on public rights of way, that creates a fire hazard, that produces dangerous or noxious branches, thorns, seeds, or other growth that may be blown or otherwise distributed onto neighboring property, or that otherwise endangers the health, safety and welfare of the public; C. Any condition that provides harbor for rats, mice, snakes, or other vermin, except for the natural activity of bees, rabbits, or other insects and animals except as otherwise provided herein;
Farmington	n/a	ARTICLE 2. NUISANCES
		DIVISION 2. WEEDS AND DEBRIS 12-2-26. - Duty of property owner. It shall be unlawful and a violation of this Code for the owner, agent, lessee or occupant of any lot, tract or parcel of land within the city to allow weeds, bushes or deleterious, noxious or unhealthful growths to lie, grow or be located upon any such property or along any street or avenue adjoining the property between the property line and the curbline thereof or on or along any alley adjoining the property between the property line and the center of such alley. . . .

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Community	Weed Height	Ordinance Text
Gallup	8	<p>4-5-1: DEFINITIONS:</p> <p>A. General Definitions: As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:</p> <p>PUBLIC PLACE: Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, sources, spaces, grounds and buildings.</p> <p>WEEDS: All rank, noxious, poisonous, harmful, unhealthful vegetation, deleterious to health, and shall include, but is not limited to, the following named plant families: Mustard weeds (Brassicaceae), Pigweeds (Amaranthaceae), Russian thistle (Chenopodiaceae), Ragweeds (Asteraceae), Kochia (Chenopodiaceae)</p>
		<p>B. Power To Add Additional Plants To Definition: The city manager is hereby authorized and delegated the authority and duty to determine if any other plants, due to their unhealthy or dangerous attributes or consequences, should be placed on the list of "weeds" as defined herein and shall put such plants on said list if, after a hearing based on the evidence before him, it appears that such plants do come within the meaning of the term weeds as hereinbefore set out.</p>
		<p>4-5-2: GROWTH OR ACCUMULATION</p> <p>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 line where there is no curb, any growth of weeds to a greater height than eight inches (8"), or any accumulation of weeds.</p>
		<p>4-5-3: DUTY OF OWNER, LESSEE OR OCCUPANT</p> <p>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 section 4-5-2 of this chapter.</p>
		<p>4-5-7: EXCEPTIONS:</p> <p>Any lot or tract of land within the city which has never been scraped or tilled and left in a natural state with native vegetation shall not be considered "weeds" as defined in section 4-5-1 of this chapter. If a lot or tract of land which has been scraped, tilled or otherwise disturbed is successfully reseeded and replanted with native grasses, shrubs and trees and the city is notified of such action, the city shall not consider such reclamation efforts as weeds.</p>
Hatch	n/a	<p>8.16.020: NUISANCES DESIGNATED</p> <p>B. Unsanitary Premises: It shall be unlawful for any person to permit or cause to remain in or about his premises any solid waste, weeds, motor vehicles not in operating condition, wastewater or any conglomeration of residue thereof, which emits odors or serves as a feeding or breeding place for flies, insects or rodents; and which in the opinion of the Sanitation Officer is unsanitary, or injurious to public health. The accumulation of building materials, pipes, lumber or boxes may be maintained on the premises if the accumulation is evenly piled and stacked for a reasonable length of time to be determined by the Sanitation Officer.</p>

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Community	Weed Height	Ordinance Text
Hobbs	12/20	8.40 WEED CONTROL
		8.40.020 Purpose. This chapter is intended to promote the general health, safety and welfare of the people of the City by prohibiting the maintenance or accumulation of those plants determined to provide harborage for insects and rodents, or which constitute a fire hazard, whether wind collected or not, or which otherwise present a hazard or nuisance to inhabitants of the City. Further, this chapter is intended to promote the growth of native and other grasses and plants whose root structures tend to aid in stabilizing the soil and to reduce dust.
		8.40.030 Definitions. "Weeds" means all rank, noxious, poisonous, harmful, unhealthful vegetation, deleterious to health, and shall include, but is not limited to, the following named plants: 1. Pigweed (<i>Amaranthus retroflexus</i>). 2. Russian thistle (<i>Salsola pestifer</i>). 3. Ragweed (<i>Ambrosia</i> spp.). 4. Lambsquarter (<i>Kenopodium</i> spp.). 5. Kochia. 6. Prickly lettuce (<i>Lactuca sativa</i>). 7. London Rocket mustard (<i>Sisymbrium</i> irio). 8. Canadian thistle (<i>Cirsium arvense</i>). 9. Johnson grass (<i>Sorghum halepense</i>). "Weeds" shall not be construed to mean such vegetation occurring on undisturbed tracts of land or vacant lots, which shall be considered "climax vegetation" for the ecological zone in which the City is located. Such climax vegetation shall consist primarily of natural grasses, mesquite and/or shiner oak. The City Manager is authorized and delegated the authority and duty to determine if any other plants, due to their unhealthy or dangerous attributes or consequences, should be placed on the list of weeds as defined herein, and shall put such plants on such list if, after a hearing based on the evidence before him or her, it appears that such plants do come within the meaning of the term "weeds" as hereinbefore set out.
		8.40.040 Growth or accumulation—Occupied or unoccupied lots or tracts. It is unlawful for any owner, lessee or occupant having charge or control of any occupied or unoccupied lot or tract of land within the City to permit or maintain any growth of weeds to a greater height than twelve (12) inches, or any accumulation of weeds, on any such lot or tract of land, including any curb, gutter and sidewalks and the area located between the property line and the middle of the alley adjacent to any such lot or tract of land.
		8.40.050 Growth or accumulation—Large unimproved lots. It is unlawful for any owner or lessee having charge or control of those vacant parcels of land, platted yet unimproved, consisting of two (2) or more contiguous lots or parcels exceeding one-half (1 /2) acre in size, to permit or maintain any growth of weeds to a greater height than twenty (20) inches.
		8.40.060 Growth or accumulations—Duty of owner, lessee or occupant. It shall be the duty of any owner, lessee, occupant or person in charge of or in control of any occupied or unoccupied lot or tract of land to cut the weeds and remove the cuttings or any accumulation of weeds as often as is necessary in order to comply with the provisions set out in Section 8.40.040 or 8.40.050.

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Community	Weed Height	Ordinance Text
Las Cruces	n/a	<p>18-1. - Definitions.</p> <p><i>Nuisance</i> means any person doing an unlawful act, omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:</p> <ol style="list-style-type: none"> (1) Injures or endangers the comfort, repose, health or safety of others; (2) Offends decency; (3) Is offensive to the senses; (4) Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; (5) In any way renders other persons insecure in life or the use of property; or (6) Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others. <p>Any nuisance is a <i>major nuisance</i> when that nuisance in any way negatively affects the public health and safety and includes, but is not limited to, nuisances that necessitate police, fire, and rescue services.</p> <p>18-2. - Illustrative enumeration.</p> <p>The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitute a nuisance, provided that this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:</p> <ol style="list-style-type: none"> (1) Noxious weeds and other rank vegetation. (2) Accumulations of rubbish, trash, refuse, litter, junk and other abandoned materials, metals, lumber or other things. (3) Any condition which provides harborage for rats, mice, snakes and other vermin. . . .
Las Vegas	n/a	<p>301-6. Nuisance Declared</p> <p>B. Unsanitary premises. It shall be unlawful for any person to permit or cause to remain in or about his premises any solid waste, weeds, motor vehicles not in operating condition, wastewater or any conglomeration of residue thereof, which emits odors or serves as a feeding or breeding place for flies, insects or rodents; or which is unsanitary, or injurious to public health.</p> <p>C. Hazardous premises. It shall be unlawful for any person to permit in or about his premises weeds, briars, brush or any other rubble, wreckage, or debris, to become in any way hazardous or injurious to public health or to obstruct pedestrian and vehicular traffic.</p>
Los Lunas	n/a	<p>Chapter 9.24 - NUISANCES</p> <p>9.24.010 - Public nuisance prohibited.</p> <p>It is unlawful to commit public nuisance. Public nuisance consists of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either: injurious to public health, safety, morals or welfare, or interferes with the exercises and enjoyment of public rights including the right to use public property.</p>

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Community	Weed Height	Ordinance Text
		<p>9.24.020 - Nuisances designated.</p> <p>. . . The following are declared to be a public nuisance:</p> <p>B. Unsanitary Premises. It is unlawful for any person to permit or cause to remain in or about his premises any solid waste, weeds, motor vehicles not in operating condition, waste water or any conglomeration of residue thereof, which emits odors or serves as a feeding or breeding place for flies, insects or rodents; and which in the opinion of the zoning enforcement officer is unsanitary, or injurious to public health. . . .</p> <p>C. Hazardous Premises. It is unlawful for any person to permit in or about his premises weeds, briars, brush or any other solid waste to become in any way hazardous or injurious to public health or to obstruct pedestrian and vehicular traffic.</p>
Peralta	18	<p>WEED CONTROL ORDINANCE 2015-03</p> <p>DEFINITIONS</p> <p>"Weeds" means all rank, noxious, poisonous, harmful, unhealthful vegetation, or any growth whatsoever of an offensive or unsightly nature as defined by "Weeds of the West"</p> <p>OWNER RESPONSIBILITY</p> <p>The person in charge of the real property is required and responsible to take the appropriate action for the control of weeds in conformance with the ordinance:</p> <ol style="list-style-type: none"> 1. On the real property owned or occupied by him; and 2. In the alley abutting such real property to its center line; and 3. In the area between such real property and the edge of any abutting street right-of-way. <p>Each person in charge of property shall destroy, cut, control, and remove such weeds as often as growth and condition of such weeds may require, to maintain a maximum height of eighteen inches (18").</p>
Portales	10	<p>Chapter 16 - NUISANCES</p> <p>Sec. 16-1. - Definitions.</p> <p><i>Weeds</i> shall mean all rank, noxious, poisonous, harmful, unhealthy vegetation, or any growth whatsoever of an offensive or unsightly nature or which is deleterious to health, and shall include, but is not limited to, the following named plants: Pigusweed (<i>Amaranthus retroflexus</i>), Russian Thistle (<i>Salsola pestifer</i>), Ragweeds (<i>Ambrosia</i> ssp.), Lambsquarter (<i>kenopodium</i> ssp.), Kochia.</p> <p>Sec. 16-5. - Unlawful growth or accumulation on lots.</p> <p>It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having charge or control of any lot within the city to permit or maintain on any such lot, including the area located between the property line and the middle of the alley adjacent to the property, and the area between the property line and the curb, and the area where there is no curb, to the street, any growth or weeds to a greater height than ten (10) inches, or any other accumulation of weeds.</p>

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Community	Weed Height	Ordinance Text
		<p>Sec. 16-6. - Unlawful accumulation on tracts.</p> <p>It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of an such owner, lessee, or occupant having charge or control of any tract within the city to permit or maintain on any such tract, including the area located between the property line and the middle of the alley adjacent to the property line and curb and the area where there is no curb, to the property line, any accumulation of weeds, which in the opinion of the code enforcement officer is a fire hazard; it shall also be unlawful for a person having charge or control of any tract within the city to allow any growth of weeds to a greater height than ten (10) inches on the curbs and sidewalks and streets and from all property lines. If a tract has been completely cleared, it must be kept in the same condition as a lot thereafter. Property zoned for the consistently being utilized in the growing of agricultural crops is exempt.</p>
Raton	12	<p>94.01 DEFINITIONS.</p> <p>NUISANCE.</p> <p>(1) Any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition, or thing in the city either:</p> <ul style="list-style-type: none"> (a) Injures or endangers the comfort, repose, health, safety, morals, and welfare of others; (b) Interferes with the exercise and enjoyment of public rights, including the right to use public property; (c) Offends decency; (d) Is offensive to the human senses of sight, sound, or smell; (e) Unlawfully interferes with, obstructs, or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; and/or (f) Interferes with the security or comfortable enjoyment of life and property. <p>(2) Any definition of declaration by the City Commission of a <i>NUISANCE</i> or “public nuisance” in any provision of this code or other ordinance of the city shall be included within the definition of the word <i>NUISANCE</i>, for the purpose.</p> <p>94.03 PROHIBITED NUISANCES.</p> <p>(A) <i>Weeds/trees</i>. Any owner, his or her agent, lessee, or occupant planting or allowing weeds or other plant growth higher than 12 inches and existing unkempt in ungroomed condition or exhibiting a fire hazard on: their parcel of ground; land areas abutting the parcel extending to the curb or edge of the traveled roadway in cases where there is no curb; and/or to the center line of the abutting alley(s). Trees in the described areas shall be kept neatly trimmed by the abutting property owner(s) or occupants so as not to obstruct traffic or pedestrians. The trees shall be located no closer than 5 feet to the back of the curb or ditch line to accommodate sidewalks and so as not to block the motorists view of pedestrians near the curbs. Sidewalks located in the abutting areas shall be kept safe and in good repair at all times by the owner, his or her agent, lessee, or occupant.</p>

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Community	Weed Height	Ordinance Text
Rio Communities	20	<p>A. Purpose. Weed Control, specifically, controlling the infestation of non-indigenous (noxious) weeds is critical to reducing fire danger, maintaining a balanced ecosystem for native plants and animals and reducing soil erosion, soil salinity, contaminates to ground water and the severe effects of flooding. At the very least, the uncontrolled infestation of “weeds” on residential and public properties is an eyesore and at worst, a financial burden to the City if not properly controlled and maintained.</p> <p>B. Goal It shall be the goal of the City of Rio Communities to develop and institute an Integrated Weed Management System (IWMS) that promotes the cultivation of native free-flowing native plants and forbs while controlling and mitigating the effects of invasive and noxious plants that are unsightly, damaging and hazardous to our ecology and public health.</p> <p>C. Authority is granted pursuant to the Noxious Weed Control Act, NMSA 1978, § § 76-7-1 through 30.</p> <p>D. Definitions. For the purpose of this Section, the following meanings shall apply:</p> <p>“Forb” means any broad-leaved herbaceous plant that is not a grass, especially one that grows in a prairie or meadow.</p> <p>“Highly-flammable” plant means a plant species that has characteristics that make it more volatile by encouraging easy ignition and the spread of fire through its foliage due to low moisture content, dense dry leaves, needles, grass-like leaves, or volatile resins and oils.</p> <p>“Indigenous Plants” means those species of plants naturally occurring within a specific habitat or bio-geographical region prior to significant human impacts.</p> <p>“Invasive Noxious Plant” means a plant reproducing outside its native range and outside cultivation that disrupts naturally occurring native plant communities by altering structure, composition, natural processes or habitat quality.</p> <p>“Native Plant” means those species of plants occurring within the city boundaries prior to European contact, according to best scientific and historical documentation. More specifically, it includes those species understood as indigenous, occurring in natural associations in habitats that existed prior to significant human impacts and alterations of the landscape.</p> <p>“Native Vegetation” means vegetation found in the natural community that is suited to the soil, topography, hydrology, and wildfire risk of a particular site.</p> <p>“Noxious weed” means any weed or plant which the board of county commissioners acting as the governing body of the district, and with the advice of the county agent, declares to be harmful or to possess noxious characteristics. NMSA 1979, § 76-7-2.</p> <p>“Weed” means a non-native plant that disrupts or has the potential to disrupt or alter the natural ecosystem function, composition and diversity of the site it occupies. Its presence deteriorates the health of the site. It is an invasive species that requires a concerted effort of manpower and resources to remove from its current location, if it can be removed at all. WEEDS shall also mean plants that, by reason of abandonment, lack of care or lack of maintenance, choke out growth of other plant material in the area.</p>

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Community	Weed Height	Ordinance Text
		<p>E. New Mexico Noxious Weed List The New Mexico Department of Agriculture has determined the following noxious weeds as the most common for control or eradication: 1. Salt cedar 2. African rue 3. Russian knapweed 4. Yellow and purple star thistle 5. Camelthorn 6. Yellow toadflax 7. Onion weed</p> <p>For a comprehensive list noxious weed as classified by the New Mexico Department of Agriculture see http://www.nmda.nmsu.edu/apr/noxious-weedinformation/.</p>
		<p>F. Growth and Accumulation</p> <p>It is unlawful for any owner, lessee or occupant having charge or control of any occupied, unoccupied or unimproved lot or tract of land within the City to permit or maintain any growth of weeds or vegetation that are highly flammable or attain a height greater than twenty (20) inches or any accumulation of weeds on any such lot or tract of land, including any curb, gutter and sidewalks and the area located between the property line and the middle of the alley adjacent to any such lot or tract of land.</p>
		<p>G. Duty of Owner</p> <p>It shall be the duty of any owner, lessee, occupant or person in charge of or in control of any occupied, unoccupied or unimproved lot or tract of land to either cut or eradicate the accumulation of weeds and remove and lawfully dispose of any cuttings as often as is necessary in order to comply with this provision.</p>
Rio Rancho	12	<p>91.05 Vegetation.</p> <p>(A) All exterior property areas which have been altered from their natural state or developed in any way, shall be kept free from dry vegetation, tumbleweeds, weeds, bushes and tall grass and trees which present a visual blight upon the area or which may harbor insect or rodent infestations, and dry vegetation which may likely become a fire hazard or result in a condition which may threaten the health and safety or the economic welfare of adjacent property owners or occupants. This requirement shall apply to the road right-of-way that abuts the property line on any side of any lot.</p> <p>(B) The premises shall be free from weeds higher than 12 inches tall. All vegetation shall be kept from becoming overgrown and unsightly so as to constitute a public nuisance to any adjoining property.</p> <p>(C) The approved methods of controlling weeds shall be mowing, cutting, digging or other methods designed to remove the weeds but not disturb other vegetation or unnecessarily disturb the soil. The grading and tillage of lots is prohibited unless written permission of the City Engineer has been obtained.</p> <p>(D) The city shall be responsible for weed control on dedicated open space, drainage rights-of-way and improved right-of-way of arterial and collector roads, unless responsibility has otherwise been delegated, e.g., via a development agreement, development plan, zone map amendment, and the like.</p> <p>91.02 Definitions.</p> <p>Weeds. Pigweed (<i>lamaranthus retroflexus</i>), Russian thistle (<i>salsola pestifer</i>), or ragweed (<i>ambrosia</i> spp.) commonly referred to as tumbleweeds. For the purpose of this subchapter, WEEDS shall also mean plants that, by reason of abandonment, lack of care or lack of maintenance, choke out growth of other plant material in the area, and dead, dying or unattended plant life, named or unnamed, which is abandoned or overgrown.</p>

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Community	Weed Height	Ordinance Text
Roswell	12	<p>16-2. Public Nuisances, generally. It shall be unlawful for any person to commit public nuisance, consisting of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either:</p> <ul style="list-style-type: none"> (1) Injurious to public health, safety, morals, or welfare; or (2) Interferes with the exercise and enjoyment of public rights, including the right to use public property. <p>16-4. Weeds.</p> <ul style="list-style-type: none"> (a) Weeds are defined as any plant of no value usually displaying rank growth and includes but not limited to brush, briars, tree sprouts and unsightly growth. This subsection shall not be construed to apply to alfalfa or other agricultural crops, farm or garden produce or other cultivated products. (b) No owner, lessee or occupant or the agent, servant, representative or employee of such owner, lessee or occupant, having control of any lot, tract or parcel of land or any part thereof within the city shall allow, permit or maintain, on any such lot, tract or parcel of land, any growth of weeds to a height of over one foot. This subsection shall not be construed to apply to alfalfa or other agricultural crops, farm or garden produce or other cultivated products. (c) It shall be unlawful for any person to permit or cause to remain in or about his premises any weeds which emit odors or serve as a feeding or breeding place for flies, insects or rodents and which, in the opinion of the code enforcement officer, is unsanitary or injurious to public health. (d) It shall be unlawful for any person to permit, in or about his premises any weeds to become hazardous or injurious to public health or to obstruct pedestrian and vehicular traffic. (e) Any weeds found in violation of this section are hereby declared to be a nuisance.
Ruidoso	12	<p>Chapter 38. ENVIRONMENT</p> <p>ARTICLE III. NUISANCES</p> <p>38-62. Property nuisances.</p> <ul style="list-style-type: none"> (a) <i>Prohibited conditions.</i> It shall be unlawful for any person owning, leasing, renting, occupying or having charge or possession of any property in the village to maintain or to allow to be maintained such property in a manner where any of the following conditions are found to exist thereon. . . . (5) Growth of weeds and grasses which: <ul style="list-style-type: none"> a. Are likely to harbor flies, insects, rodents or vermin; b. Are dangerous to public health, safety and welfare; c. Are obstructing a necessary view of drivers on public streets, roads or driveways; d. Are anything on the New Mexico Noxious Weeds List (of particular concern is the Musk Thistle) that have not been either killed or removed; e. Are plants typically classified as common weeds and grasses that have been allowed to grow taller than one foot in height and are within 50 feet of the edge of pavement surface along State Highways 48 and 70, or within 30 feet of any all-weather surface along any other roads; or f. Are not common wild flowers that may also be classified as weeds but do not appear on the noxious weeds list that have been allowed to mature without obstructing visibility entering a public roadway;

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Community	Weed Height	Ordinance Text
		<p>(6) Hazardous trees and forest debris as follows:</p> <ul style="list-style-type: none"> a. Forest debris not in accordance with section 42-80, where forest debris is defined as cut forest material resulting from fuels management activity. b. Trees, live or dead, leaning toward a target (i.e., a structure, etc.) on adjoining property which pose a clear and present threat to health and/or property; c. Trees, live or dead, and/or portions thereof that possess significant structural damage, which pose a clear and present threat to health and/or property;
Santa Fe	12	<p>10-3.3 - Definitions. <i>Weeds</i> means weeds, grass, brush or other vegetation which is in excess of twelve inches (12") in height, which has a stem diameter of less than two inches (2") and also includes bindweed, Canada thistle, perennial sowthistle, Russian knapweed, common ragweed, milkweed, dandelion, Russian thistle (tumbleweed), fire weeds, mustards, sandburs, hairy stickweed, and weeds include grass and any other growth that is injurious to the public health, welfare and safety. Weeds do not include flower gardens, plots of shrubbery, vegetable gardens, native vegetation used for landscaping or small grain plots.</p> <p>10-3.4 - Growth or accumulation of weeds prohibited. It is unlawful for any owner, lessee, agent, occupant, or person in possession or control of any occupied or unoccupied lot or tract of land or any part thereof within the municipal boundaries to permit or maintain on any such lot or tract of land, or along the sidewalk, street or alley adjacent to the same:</p> <ul style="list-style-type: none"> A. Any growth of weeds to a height greater than twelve inches (12") and which have a stem diameter of less than two inches (2"); or B. Any weeds which because of their dry condition or dense growth constitute a fire hazard or danger to the public health, welfare or safety.
Silver City	n/a	<p>32-1. Public Nuisance.</p> <ul style="list-style-type: none"> a. Defined. A public nuisance consists of creating, performing or maintaining anything affecting any number of citizens without lawful authority, which is either: <ul style="list-style-type: none"> (1) Injurious to public health, safety, morals or welfare; or (2) Interferes with the exercise and enjoyment of public rights, including the right to use public property. b. Penalty. Whoever commits a public nuisance for which the act or penalty is not otherwise prescribed by law is guilty of a municipal offense. <p>32-5. Accumulation of rubbish, weeds, etc.</p> <ul style="list-style-type: none"> (a) Prohibited. It shall be unlawful for any owner of any lot, place or area within the town, the agent of such owner or anyone who occupies the premises, to permit to grow or accumulate on such premises or on any town easement or right-of-way abutting the premises including sidewalks thereon, any weed, or any rubbish, brush, trash or any other matter liable to produce disease, or otherwise endanger the public health, safety or welfare.

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Community	Weed Height	Ordinance Text
		(b) Hardship procedure. If a hardship is created by the requirement to prevent nuisances on any town easement or right-of-way abutting the premises, the owner, agent thereof, or occupier of such premises shall make an application to the town manager with proof of hardship, and if the town manager determines that a hardship is created thereby, the town manager may waive the requirement with regard to the effect of this section as to the town easement or right-of-way abutting the premises.
Taos	n/a	<p>8.28.010: DEFINITIONS</p> <p>A. For the purposes of this chapter the word "nuisance" is defined as any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing in the town either:</p> <ol style="list-style-type: none"> 1. Injures or endangers the comfort, repose, health or safety of others; or 2. Offends decency; or 3. Is offensive to the senses; or 4. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; or 5. In any way renders other persons insecure in life or the use of property; or 6. Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.
		<p>8.28.020: ENUMERATION OF NUISANCE ITEMS</p> <p>A. Noxious weeds and other rank vegetation;</p> <p>B. Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things;</p> <p>C. Any condition which provides harborage for rats, mice, snakes and other vermin;</p>
		<p>8.28.030: NUISANCES PROHIBITED</p> <p>It is unlawful for any person to cause, permit, maintain or allow the creation or maintenance of a nuisance. Any violation of this section shall be subject to the criminal penalties set forth in section 8.28.120 of this chapter.</p>
		<p>8.28.040: RESPONSIBILITY OF PROPERTY OWNER:</p> <p>Each property owner within the town, whether a natural person or other legal entity, shall be responsible under the provisions of this chapter for each individual tract of property owned and his responsibility established herein will extend to abutment of other adjoining property lines. When any portion of the property abuts on a public road or alley the property owner's responsibility shall extend to the center of the road or alley; provided, however, that this section shall not restrict in any manner the maintenance of the full alley and street by the street department.</p>

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Community	Weed Height	Ordinance Text
Truth or Consequences	n/a	ARTICLE VI. WEEDS, ALLEYS, JUNK, TRASH AND REFUSE
		6-74. Unsanitary premises. It shall be unlawful for any person to permit or cause to remain in or about his premises any solid waste, garbage, rubbish, weeds, automobiles not in operating condition, wastewater or any conglomeration of residue thereof, which emits odors or serves as a feeding or breeding place for flies, insects or rodents, and which is unsanitary or injurious to public health.
		6-75. Hazardous premises. It shall be unlawful for any person to permit in or about his premises trees, weeds, briars, brush, shrubs, machinery, appliances, scrap metal, lumber, logs, pilings, open pits, quarry, cistern, well or other excavation without barriers, or any other waste, rubbish, or debris to become, in any way, hazardous or injurious to public health, to create a fire danger, or to obstruct pedestrian or vehicular traffic.
		6-78. Weeds, responsibility of owner. It shall be unlawful for any owner, agent, lessee, or occupant of any lots, tracts or parcels of land within the City to allow weeds to be planted, lie, grow or be located upon any such property or along any street adjoining the same between the property line and the curb line thereof. Weeds include, but are not limited to: <div style="display: flex; flex-wrap: wrap;"> <div style="flex: 50%;"> African Rue/Peganum Harmala Arundo/Arundo Donax Black Henbane/Hyoscyamus Niger Bull Thistle/Cirsium Vulgare Camelthorn/Alhagi Maurorum Canada Thistle/Cirsium Arvense Cheatgrass/Bromus Tectorum Crimson Fountaingrass/Pennisetum Setaceum Dalmatian Toadflax/Linaria Dalmatica Diffuse Knapweed/Centaurea Diffusa Dryers Woad/Isatis Tinctoria Eurasian Watermilfoil/Myriophyllum Spicatum Giant Salvinia/Salvinia Molesta Halogeton/Halogeton Glomeratus Hoary Cress/Caldaria Spp. Hydrillia/Hydrilla Verticillata Leafy Spurge/Euphorbia Esula Malta Starthistle/Centaurea Melitensis Meadow Knapweed/Centaurea Pratensis </div> <div style="flex: 50%;"> Musk Thistle/Carduus Nutans Onionweed/Asphodelus Fistulosus Oxeye Daisy/Leucanthemum Vulgare Parrotfeather/Myriophyllum Aquaticum Perennial Pepperweed/Lepidium Latifolium Poison Hemlock/Conium Maculatum Purple Loosestrife/Lythrum Salicaria Purple Starthistle/Lythrum Salicaria Quackgrass/Elytrigia Repens Russian Knapweed/Acroptilon Repens Russian Olive/Elaeagnus Angustifolia L. Sahara Mustard/Brassica Tournefortii Salt Cedar/Tamarix Spp. Scotch Thistle/Onoprodum Acanthium Siberian Elm/Ulmus Pumila Spotted Knapweed/Centaurea Biebersteinii Yellow Starthistle/Centaurea Solstitialis Yellow Toadflax/Linaria Vulgaris </div> </div>

New Mexico Ordinance Research — Weeds

Community	Weed Height	Ordinance Text
Tucumcari	12	<p>Title 7 - NUISANCES</p> <p>7.04.010 - Definitions.</p> <p>"Weeds" includes, but is not limited to, all vegetation at any stage of maturity which:</p> <ol style="list-style-type: none"> 1. Exceeds twelve (12) inches in height, except healthy trees, shrubs or produce for human consumption grown in a tended and cultivated garden, unless such trees and shrubbery, by their density or location, constitute a detriment to the health, benefit and welfare of the public and community, or a hazard to traffic, or create a fire hazard to the property, or otherwise interfere with the mowing of the weeds; 2. Regardless of height, harbors, conceals or invites deposits or accumulation of refuse or trash; 3. Gives off unpleasant or noxious odors; 4. Constitutes a fire or traffic hazard; or 5. Is dead or diseased. <p>The term "weed" does not include tended crops grown for agricultural use, which are planted more than sixty (60) feet from a parcel, used for other than agricultural uses. The "approved methods" of controlling weeds are mowing, cutting, digging or other methods designed to remove the weeds but not disturb other vegetation or unnecessarily disturb the soil.</p> <p>7.04.020 - Illustrative Enumeration.</p> <p>The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:</p> <ol style="list-style-type: none"> 1. Noxious weeds and other rank vegetation;
Tularosa	6	<p>90.35 DEFINITIONS</p> <p>LOT. Any occupied or unoccupied piece of land of one-half acre or less which is located within one-quarter mile, 1,320 feet, of an occupied structure.</p> <p>TRACT. Any piece of occupied or unoccupied land with an area of more than one-half acre.</p> <p>WEEDS. All rank, noxious, poisonous, harmful, unhealthful vegetation or any growth whatsoever of an offensive or unsightly nature, or which is deleterious to health, and shall include, but is not limited to the following named plants: Pigusweed (<i>Amaranthus retroflexus</i>), Russian Thistle (<i>Salsola pestifer</i>), Ragweed (<i>Ambrosia</i> spp.), Lambsquarter (<i>Kenopodium</i> spp.), Kochia.</p> <p>90.36 UNLAWFUL GROWTH OR ACCUMULATION ON LOTS.</p> <p>It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant having charge or control of any lot within the village to permit or maintain on any lot, 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, and the area located ten feet outside the property line where there is no curb, any growth of weeds to a greater height than six inches, or any other accumulation of weeds.</p>

New Mexico Ordinance Research — Weeds

Community	Weed Height	Ordinance Text
		<p>It shall also be unlawful for a person having charge or control of any tract within the village to allow any growth of weeds to a greater height than four inches on curbs and sidewalks located on their property as well as the area adjacent to and five feet back of the curbs, sidewalks and streets.</p> <p>90.37 UNLAWFUL GROWTH OR ACCUMULATION ON TRACTS.</p> <p>It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any owner, lessee or occupant having charge or control of any tract within the village to permit or maintain on any tract, including the area located between the property line and the middle of the alley adjacent to, the property line and curb and the area located ten feet outside the property line where there is no curb, any accumulation of weeds, which in the opinion of the Police Chief constitute a fire hazard. It shall also be unlawful for a person having charge or control of any tract within the village to allow any growth of weeds to a greater height than four inches on curbs and sidewalks located on their property as well as the area adjacent to and five feet back of the curbs, sidewalks and streets.</p>
Williamsburg	12	<p>90.060 FINDINGS.</p> <p>The Governing Body of the village hereby finds that a substantial number of citizens of the village have moved to the village because of respiratory problems which are complicated by the uncontrolled growth of weeds within the village; that the uncontrolled growth of weeds in the village constitutes a fire hazard; and that the uncontrolled growth of weeds in the village is detrimental to the health and safety of the citizens of the village.</p> <p>90.062 GROWTH OF WEEDS.</p> <p>It shall be unlawful for persons to permit any weeds, grass or plants, other than trees, bushes, flowers or other ornamental plants to grow to a height exceeding 12 inches anywhere in the village; any plants or weeds exceeding the height are hereby declared to be a nuisance.</p> <p>90.063 WEEDS; DUTY TO REMOVE.</p> <p>It is unlawful for any person, or the agent or employee of any person, owning or controlling property within the corporate limits of the village to permit the growth of weeds on the property to a height of more than 12 inches, and it shall be the duty of any person, firm or corporation to forthwith cut and remove the same from the property owned by him, her or them or under his, her or their control, within ten days after being notified by the village officials to remove the same.</p>