

Sec. 22-39. - Native grasses.

(a) *Definitions.*

Clear area shall mean a five-foot strip of land adjacent to the property line that must be maintained at two to three (2—3) inches in height.

Native landscaping shall mean the practice of cultivating plants which are indigenous to the region, which once established, require minimal mowing, fertilization or watering, if any.

Noxious weeds. The following plant species are defined as noxious weeds. They are typically opportunistic/invasive weeds/grasses:

Sonchus asper (L.) Hill	Asteraceae	Sow Thistle
Sorghum halepense (L.) Pers.	Poaceae	Johnson Grass
Ambrosia sp.	Asteraceae	Rag Weed
Cenchrus incertus M. A. Curtis	Poaceae	Grass Bur
Rumex crispus L.	Polygonaceae	Curly Dock
Croton capitatus Michx.	Euphorbiaceae	Dove Weed
Chenopodium sp.	Chenopodiaceae	Goosefoot
Amarantus sp.	Amarantaceae	Pig Weed
Rhus toxicodendron L.	Anacardiaceae	Poison Ivy
Conyza Canadensis (L.) Cronq.	Asteraceae	Horse Weed

Texas Wildscapes. Program sponsored by the Texas Parks and Wildlife Department that promotes habitat restoration for rural and urban areas.

- (b) *Native landscaping.* It shall be lawful to grow native and naturalized plants including ferns, wildflowers, grasses, forbs, shrubs and trees, provided the owner registers their intent to do so with the city.
- (c) *Clear spaces shall be maintained.* Registered native landscapes shall maintain a clear area as provided for in this section.
- (d) *Noxious weeds.* Noxious weeds are indicators of neglect and areas that contain these species shall be brought into conformance of section 14.3.2.b [sic], even if those properties are registered native landscapes, under the guidelines set forth in that instrumental code.

- (e) *Registration.* Owners of property who wish to have a native landscape shall notify the City of Boerne Code Enforcement, in writing, of their intent to manage a native landscape.
- (f) *Penalty.*
 - (1) Any person violating any provision of this section shall be fined not more than two hundred dollars (\$200.00) for each offense. Each hour or portion thereof, in which any violation shall occur, shall constitute a separate offense.
 - (2) Enforcement hereunder shall not require the pleading or proving of any culpable mental state.
 - (3) All other ordinances or parts of ordinances in conflict herewith repealed to the extent that they are in conflict.
 - (4) That if any of the provisions of this section shall be held void or unconstitutional, it is hereby provided that all other part of the same which are not held void or unconstitutional shall remain in full force and effect.

(Ord. No. 2004-21, 4-27-04)