

1 Introduced by Council Member Boylan:  
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4 **ORDINANCE 2026-492**

5 AN ORDINANCE REGARDING NOXIOUS WEEDS AND  
6 INVASIVE PLANT SPECIES; AMENDING SECTION 518.111  
7 (DEFINITIONS), SUBPART B (DEFINITIONS), PART 1  
8 (GENERAL PROVISIONS), CHAPTER 518 (JACKSONVILLE  
9 PROPERTY SAFETY AND MAINTENANCE CODE), *ORDINANCE*  
10 *CODE*, TO DEFINE "NOXIOUS WEED"; AMENDING SECTION  
11 518.202 (CONDITIONS PROHIBITED AND DECLARED  
12 PUBLIC NUISANCES; PENALTY) AND SECTION 518.209  
13 (ABATEMENT OF PUBLIC NUISANCES), PART 2  
14 (IMPROVED OR UNIMPROVED LOTS AND EXTERIOR  
15 CONDITIONS OF RESIDENTIAL AND COMMERCIAL  
16 PROPERTIES), CHAPTER 518 (JACKSONVILLE PROPERTY  
17 AND SAFETY MAINTENANCE CODE), *ORDINANCE CODE*, TO  
18 ADD INVASIVE PLANT SPECIES DESIGNATED AS NOXIOUS  
19 WEEDS TO THE CATEGORY OF "NUISANCE VEGETATION"  
20 AND PROVIDE ABATEMENT INSTRUCTIONS PERTAINING TO  
21 NOXIOUS WEEDS; PROVIDING FOR CODIFICATION  
22 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.  
23

24 **WHEREAS**, the State of Florida has recognized the threat posed  
25 by certain invasive plant species to Florida's native flora and  
26 agricultural and horticultural interests; and

27 **WHEREAS**, the Florida Department of Agriculture and Consumer  
28 Services (the "Department") maintains a list of such "noxious weeds"  
29 in Florida Administrative Rule 5B-57.007; and

30 **WHEREAS**, the Department has prohibited the introduction,  
31 multiplication, possession, movement, or release of any noxious weed

1 or invasive plant regulated by the Department in Florida  
2 Administrative Rule 5B-57.004; and

3 **WHEREAS**, the City Council desires to include provisions related  
4 to noxious weeds and abatement of the same in the City's Ordinance  
5 Code; now therefore

6 **BE IT ORDAINED** by the Council of the City of Jacksonville:

7 **Section 1. Amending Section 518.111 (Definitions), Subpart**  
8 **B (Definitions), Part 1 (General Provisions), Chapter 518**  
9 **(Jacksonville Property Safety and Maintenance Code), Ordinance Code.**  
10 Section 518.111 (Definitions), Subpart B (Definitions), Part 1  
11 (General Provisions), Chapter 518 (Jacksonville Property Safety and  
12 Maintenance Code), *Ordinance Code*, is hereby amended to read as  
13 follows:

14 **CHAPTER 518 - JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE CODE**

15 **PART 1. - GENERAL PROVISIONS**

16 \* \* \*

17 **Subpart B. - DEFINITIONS**

18 **Sec. 518.111. - Definitions.**

19 \* \* \*

20 *Nuisance* means any one or combination of the following:

- 21 (a) Any public nuisance known at common law or in equity  
22 jurisprudence or as provided by statute, administrative  
23 rule, or ordinances of the City, including this Chapter;
- 24 (b) Any attractive nuisance which may prove detrimental to  
25 health or safety;
- 26 (c) Physical conditions dangerous to human life or property,  
27 or detrimental to health, or detrimental to property  
28 values, or which tend to degrade the appearance of a  
29 neighborhood;
- 30 (d) Conditions relating to private or public property which  
31 impede the free passage of persons on a public or private

1 sidewalk, or which impede ingress or egress to property;  
2 or which impede safe passage of vehicles on a public alley  
3 or street;

4 (e) Fire hazards.

5 Noxious weed means any plant listed in the Florida Department  
6 of Agriculture and Consumer Services' current list of Noxious Weeds.

7 *Openable area* means that part of a window or door which is  
8 available for unobstructed ventilation and which opens directly to  
9 the outdoors.

10 \* \* \*

11 **Section 2. Amending Section 518.202 (Conditions prohibited**  
12 **and declared public nuisances; penalty) and Section 518.209**  
13 **(Abatement of public nuisances), Part 2 (Improved or Unimproved Lots**  
14 **and Exterior Conditions of Residential and Commercial Properties),**  
15 **Chapter 518 (Jacksonville Property Safety and Maintenance Code),**  
16 **Ordinance Code.** Section 518.202 (Conditions prohibited and declared  
17 public nuisances; penalty) and Section 518.209 (Abatement of public  
18 nuisances), Part 2 (Improved or Unimproved Lots and Exterior  
19 Conditions of Residential and Commercial Properties), Chapter 518  
20 (Jacksonville Property Safety and Maintenance Code), *Ordinance Code*,  
21 are hereby amended to read as follows:

22 **CHAPTER 518 - JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE CODE**

23 \* \* \*

24 **PART 2. - IMPROVED OR UNIMPROVED LOTS AND EXTERIOR CONDITIONS OF**  
25 **RESIDENTIAL AND COMMERCIAL PROPERTIES**

26 \* \* \*

27 **Sec. 518.202. - Conditions prohibited and declared public nuisances;**  
28 **penalty.**

29 The following described conditions occurring or being upon any  
30 lot, tract or parcel of land, or contiguous swales, improved or  
31 unimproved, within 100 feet of any improved property on which there

1 exists a building, structure or other premises occupied by people  
2 within the City, or on any lot or parcel of land irrespective of its  
3 distance from any structure when the Chief determines on a case by  
4 case basis, to the extent and in the manner that the lot, tract or  
5 parcel of land is or may reasonably become infested or inhabited by  
6 rodents, vermin or animals, or may furnish a breeding place for  
7 mosquitoes, or threatens or endangers the public health, safety or  
8 welfare, or may reasonably cause disease, are each hereby prohibited  
9 and declared to be a public nuisance:

10 (1) Nuisance vegetation:

11 (a) Vegetation which exceeds a height of 15 inches over  
12 the majority of the parcel; or

13 (b) Growth ~~growth~~ or weeds, grass, underbrush or  
14 undergrowth, or other noxious vegetation (but not  
15 including trees, plants or other vegetation protected  
16 by State law) which fully or partially obstructs the  
17 parcel or any public right-of-way, sidewalk or other  
18 type of passage; or-

19 (c) Invasive plant species classified as noxious weeds by  
20 the Florida Department of Agriculture and Consumer  
21 Services and intentionally planted or propagated on  
22 the parcel.

23 \* \* \*

24 **Sec. 518.209. - Abatement of public nuisances.**

25 If abatement of the public nuisance is not completed or commenced  
26 in a meaningful manner (such as hiring a contractor, or commencing  
27 significant and actual abatement activities) by the person within 15  
28 days from the date of notice or issuance of a paying citation pursuant  
29 to Section 609.104, Ordinance Code, or if a hearing has not been  
30 requested pursuant to Section 518.208 or 609.104, Ordinance Code, or  
31 within the time period established by the Board of Special Magistrate,

1 as provided in Section 670.106, Ordinance Code, if the Board or  
2 Special Master orders removal or abatement thereof, the Chief shall  
3 either refer the case to the Municipal Code Enforcement Board as a  
4 violation of this Chapter, or cause the condition to be terminated  
5 by the City; provided, that, when a public nuisance is of a magnitude  
6 or degree that the City's equipment and personnel cannot safely or  
7 completely terminate it, the Chief may contract with a private  
8 contractor to terminate it on behalf of the City. In the case of  
9 removal of noxious weeds, abatement shall include utilizing proper  
10 removal, transportation, and disposal techniques such that no further  
11 spread of the noxious weed occurs.

12 \* \* \*

13 **Section 3. Codification Instructions.** The Codifier and the  
14 Office of General Counsel are authorized to make all chapter and  
15 division "tables of contents" consistent with the changes set forth  
16 herein. Such editorial changes and any others necessary to make the  
17 Ordinance Code consistent with the intent of this legislation are  
18 approved and directed herein, and the changes to the Ordinance Code  
19 shall be made forthwith and when inconsistencies are discovered.

20 **Section 4. Effective Date.** This Ordinance shall become  
21 effective upon signature by the Mayor or upon becoming effective  
22 without the Mayor's signature.

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24 Form Approved:

25  
26 /s/ Laura C. Hartung

27 Office of General Counsel

28 Legislation Prepared By: Laura C. Hartung

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