

**CITY OF ANCHORAGE, KENTUCKY
ORDINANCE NO. 4, SERIES NO. 2022**

**AN ORDINANCE AMENDING SECTION 92.02 OF THE CODE OF
ORDINANCES FOR THE CITY OF ANCHORAGE TO DEFINE THE
CULTIVATION OF BAMBOO WITHOUT APPROPRIATE BARRIERS OR
CONTAINERS TO BE AN ACT OF NUISANCE UNDER CHAPTER 92.**

WHEREAS, the City Forestry Board has informed the Council of issues relating to the cultivation of bamboo within the City; and,

WHEREAS, the Council has heard testimony from the Forestry Board regarding the invasive nature of bamboo; and,

WHEREAS, the Council has deemed it appropriate and to the benefit of the City and its residents to establish restrictions regarding the cultivation of bamboo within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ANCHORAGE AS FOLLOWS:

Section 1: § 92.02 of the Code of Ordinances, relating to Acts of Nuisance, is hereby amended to read as follows:

Acts of nuisance shall include but are not expressly restricted to, the owner, occupant or the agent of any owner or occupant of lots, parcels or areas within the city:

(A) Permitting the premises to become unsanitary or a fire menace by allowing any offensive or unsafe matter to grow, accumulate or otherwise occupy and remain upon such premises. Such matter includes unusually high grass, noxious weeds, trash, lumber, junk, and debris. This section shall not be construed to prohibit the growing and harvesting of hay for legitimate agricultural purposes.

(B) Permitting pools of water to accumulate and remain upon the premises and become stagnant and foul.

(C) Allowing junk or disabled cars and trucks as prohibited and further defined in §§ 92.20 through 92.24, broken appliances, trash, waste and old lumber to accumulate and remain upon the premises as a possible harborage for rats, snakes and other vermin.

(D) Keeping bees or permitting bees to swarm on the property.

(E) Establishing or keeping any compost or manure pile, which is of such a nature as to spread or harbor disease, emit unpleasant odors or harmful gas, or attract rodents, vermin or other disease carrying pests, animals or insects, provided the presence of earthworms in a compost pile shall not constitute a nuisance.

(F) Planting of new bamboo or allowing the growth or establishment of running bamboo or clumping bamboo in which the bamboo is allowed to encroach on an adjacent landowner's property either through roots or sprouts beneath the ground or by allowing the bamboo to grow to sufficient height or width which would allow the bamboo to cross onto the adjacent landowner's property. Removal and costs associated with the removal of bamboo in violation of this ordinance including costs associated with the removal of bamboo encroaching on an adjacent landowner's property will be the responsibility of the property owner allowing establishment of the bamboo. Owners of property which contain bamboo shall disclose to potential home buyers the existence of bamboo on the property.

Section 2: The provisions of this Ordinance are severable; the invalidity of any such provision of this Ordinance shall not affect the validity of any other provision thereof. Such other provision shall remain in full force and effect as long as they remain valid in the absence of those provisions deemed to be invalid.

Section 3: All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4: This Ordinance becomes law following its passage and approval, and publication as required by law, on January 1, 2023.

Neil Ramsey
Mayor, City of Anchorage

Renee Major
City Clerk