

**Excerpt from the Albuquerque Code of Ordinances, relating to weeds. In brief, you are responsible for removing weeds from your property, and from your property to the curb on any side of your home, or for a distance of 10 feet from your property on undeveloped land. This applies to any weeds that reach a height of at least 4 inches. The City does not remove the weeds along our sidewalks. We do.**

**§ 9-8-1 SHORT TITLE.**

This article shall be known and cited as the "Albuquerque Weed and Anti-Litter Ordinance."

('74 Code, § 6-15-1) (Ord. 89-1967; Am. Ord. 32-1976; Am. Ord. 4-1992)

**§ 9-8-2 PURPOSE.**

(A) This article 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 be of major allergenic significance, or which constitute a fire hazard when wind collected, or which otherwise present a hazard or nuisance to inhabitants of the city. Further, this article is intended to promote the growth of native and other grasses and plants whose root structures tend to aid in stabilizing the soil and reducing dust. It is also the intent of this article that by prohibiting those methods of plant removal and control which fail to differentiate between harmful and helpful plants and which tend to create the still greater problem of air pollution, the aforementioned purposes will be realized and accomplished.

(B) This article is also intended to promote the general health, safety and welfare of the people of the city by prohibiting the throwing, depositing or accumulation of litter in public places.

('74 Code, § 6-15-2) (Ord. 89-1967; Am. Ord. 32-1976; Am. Ord. 4-1992)

**§ 9-8-3 DEFINITIONS.**

**WEEDS.** All rank, noxious, poisonous, harmful, unhealthful vegetation, deleterious to health, and shall include but is not limited to the following named plants:

- (1) Pigweed (*Amaranthus retroflexus*).
- (2) Russian Thistle (*Salsola pestifer*).
- (3) Ragweeds (*Ambrosia spp.*).
- (4) Lambsquarter. (*Kenopodium spp.*).
- (5) Kochia.
- (6) London Rocket (*Sisymbrium irio*).
- (7) Flix Weed (*Descurainia sophia*).
- (8) Tansy Mustard (*Descurainia pinnata*).
- (9) Spurge.
- (10) Silverleaf Nightshade (*Solanum elaeagnifolium*).

- (11) Puncture Vine.
- (12) Field Bind Weed (*Convolvulus arvensis*).
- (13) Purslane.
- (14) Hoary Cress.
- (15) Yellow Foxtail (*Setaria glauca*).
- (16) Green Foxtail (*Sorghum halepense*).

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.

**('74 Code, § 6-15-3) (Ord. 89-1967; Am. Ord. 32-1976; Am. Ord. 4-1992; Am. Ord. 50-2005; Am. Ord. 57-2005; Am. Ord. 41-2006)**

**§ 9-8-4 GROWTH OR ACCUMULATION.**

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.

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

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

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)