

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2154

By: Reinhardt

AS INTRODUCED

An Act relating to powers of municipalities; amending 11 O.S. 2021, Section 22-111, which relates to cleaning and mowing of property; requiring certain notice to lienholder; requiring municipal clerk to forward certain statement to lienholder; defining term; updating statutory language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 2021, Section 22-111, is amended to read as follows:

Section 22-111. A. A municipal governing body may cause property within the municipal limits to be cleaned of trash and weeds or grass to be cut or mowed in accordance with the following procedure:

1. At least ten (10) days' notice shall be given to the owner and any lienholder of record of the property by mail at the address shown by the current year's tax rolls in the county treasurer's office before the governing body holds a hearing or takes action. The notice shall order the property owner to clean the property of

1 trash, or to cut or mow the weeds or grass on the property, as
2 appropriate, and the notice shall further state that unless such
3 work is performed within ten (10) days of the date of the notice the
4 work shall be done by the municipality and a notice of lien shall be
5 filed with the county clerk against the property for the costs due
6 and owing the municipality. At the time of mailing of notice to the
7 property owner and lienholder of record, the municipality shall
8 obtain a receipt of mailing from the postal service, which receipt
9 shall indicate the date of mailing and the name and address of the
10 ~~mailee~~ mailees. However, if the property owner and lienholder of
11 record cannot be located within ten (10) days from the date of
12 mailing by the municipal governing body, notice may be given by
13 posting a copy of the notice on the property or by publication, as
14 defined in Section 1-102 of this title, one time not less than ten
15 (10) days prior to any hearing or action by the municipality. If a
16 municipal governing body anticipates summary abatement of a nuisance
17 in accordance with the provisions of subsection B of this section,
18 the notice, whether by mail, posting or publication, shall state:
19 that any accumulations of trash or excessive weed or grass growth on
20 the owner's property occurring within six (6) months from and after
21 the date of this notice may be summarily abated by the municipal
22 governing body; that the costs of such abatement shall be assessed
23 against the owner; and that a lien may be imposed on the property to
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1 secure such payment, all without further prior notice to the
2 property owner;

3 2. The owner of the property may give written consent to the
4 municipality authorizing the removal of the trash or the mowing of
5 the weeds or grass. By giving written consent, the owner waives the
6 owner's right to a hearing by the municipality;

7 3. A hearing may be held by the municipal governing body to
8 determine whether the accumulation of trash or the growth of weeds
9 or grass has caused the property to become detrimental to the
10 health, benefit, and welfare of the public and the community or a
11 hazard to traffic, or creates a fire hazard to the danger of
12 property;

13 4. Upon a finding that the condition of the property
14 constitutes a detriment or hazard, and that the property would be
15 benefited by the removal of such conditions, the agents of the
16 municipality are granted the right of entry on the property for the
17 removal of trash, mowing of weeds or grass, and performance of the
18 necessary duties as a governmental function of the municipality.
19 Immediately following the cleaning or mowing of the property, the
20 municipal clerk shall file a notice of lien with the county clerk
21 describing the property and the work performed by the municipality,
22 and stating that the municipality claims a lien on the property for
23 the cleaning or mowing costs;

1 5. The governing body shall determine the actual cost of such
2 cleaning and mowing and any other expenses as may be necessary in
3 connection therewith, including the cost of notice and mailing. The
4 municipal clerk shall forward by mail to the property owner and
5 lienholder of record specified in paragraph 1 of this subsection a
6 statement of such actual cost and demanding payment. If the
7 cleaning and mowing are done by the municipality, the cost to the
8 property owner and lienholder of record for the cleaning and mowing
9 shall not exceed the actual cost of the labor, maintenance, and
10 equipment required. If the cleaning and mowing are done on a
11 private contract basis, the contract shall be awarded to the lowest
12 and best bidder;

13 6. If payment is not made within thirty (30) days from the date
14 of the mailing of the statement, then within the next thirty (30)
15 days, the municipal clerk shall forward a certified statement of the
16 amount of the cost to the county treasurer of the county in which
17 the property is located and the same shall be levied on the property
18 and collected by the county treasurer as other taxes authorized by
19 law. The municipal clerk shall forward a copy of this statement by
20 mail to any lienholder of record and shall obtain a receipt of
21 mailing from the postal service, with a receipt that indicates the
22 date of mailing and the name and address of the mailee. Once
23 certified by the county treasurer, payment may only be made to the
24 county treasurer except as otherwise provided for in this section.

1 In addition the cost and the interest thereon shall be a lien
2 against the property from the date the cost is certified to the
3 county treasurer, coequal with the lien of ad valorem taxes and all
4 other taxes and special assessments and prior and superior to all
5 other titles and liens against the property, and the lien shall
6 continue until the cost shall be fully paid. At the time of
7 collection the county treasurer shall collect a fee of Five Dollars
8 (\$5.00) for each parcel of property. The fee shall be deposited to
9 the credit of the general fund of the county. If the county
10 treasurer and the municipality agree that the county treasurer is
11 unable to collect the assessment, the municipality may pursue a
12 civil remedy for collection of the amount owing and interest thereon
13 by an action in person against the property owner and an action in
14 rem to foreclose its lien against the property. A mineral interest,
15 if severed from the surface interest and not owned by the surface
16 owner, shall not be subject to any tax or judgment lien created
17 pursuant to this section. Upon receiving payment, if any, the
18 municipal clerk shall forward to the county treasurer a notice of
19 such payment and directing discharge of the lien; and

20 7. The municipality may designate by ordinance an
21 administrative officer or administrative body to carry out the
22 duties of the governing body in subsection A of this section. The
23 property owner shall have a right of appeal to the municipal
24 governing body from any order of the administrative officer or

1 administrative body. Such appeal shall be taken by filing written
2 notice of appeal with the municipal clerk within ten (10) days after
3 the administrative order is rendered.

4 B. If a notice is given by a municipal governing body to a
5 property owner and lienholder of record ordering the property within
6 the municipal limits to be cleaned of trash and weeds or grass to be
7 cut or mowed in accordance with the procedures provided for in
8 subsection A of this section, any subsequent accumulations of trash
9 or excessive weed or grass growth on the property occurring within a
10 six-month period may be declared to be a nuisance and may be
11 summarily abated without further prior notice to the property owner
12 and lienholder of record. At the time of each such summary
13 abatement the municipality shall notify the property owner and
14 lienholder of record of the abatement and the costs thereof. The
15 notice shall state that the property owner may request a hearing
16 within ten (10) days after the date of mailing the notice. The
17 notice and hearing shall be as provided for in subsection A of this
18 section. Unless otherwise determined at the hearing the cost of
19 such abatement shall be determined and collected as provided for in
20 paragraphs 5 and 6 of subsection A of this section. This subsection
21 shall not apply if the records of the county clerk show that the
22 property was transferred after notice was given pursuant to
23 subsection A of this section.

1 C. The municipal governing body may enact ordinances to
2 prohibit owners of property or persons otherwise in possession or
3 control located within the municipal limits from allowing trash to
4 accumulate, or weeds to grow or stand upon the premises and may
5 impose penalties for violation of said ordinances.

6 D. As used in this section:

7 1. "Weed" includes but is not limited to poison ivy, poison
8 oak, or poison sumac and all vegetation at any state of maturity
9 which:

- 10 a. exceeds twelve (12) inches in height, except healthy
11 trees, shrubs, or produce for human consumption grown
12 in a tended and cultivated garden unless such trees
13 and shrubbery by their density or location constitute
14 a detriment to the health, benefit and welfare of the
15 public and community or a hazard to traffic or create
16 a fire hazard to the property or otherwise interfere
17 with the mowing of said weeds,
 - 18 b. regardless of height, harbors, conceals, or invites
19 deposits or accumulation of refuse or trash,
 - 20 c. harbors rodents or vermin,
 - 21 d. gives off unpleasant or noxious odors,
 - 22 e. constitutes a fire or traffic hazard, or
 - 23 f. is dead or diseased.
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1 The term "weed" shall not include tended crops on land zoned for
2 agricultural use which are planted more than one hundred fifty (150)
3 feet from a parcel zoned for other than agricultural use;

4 2. "Trash" means any refuse, litter, ashes, leaves, debris,
5 paper, combustible materials, rubbish, offal, or waste, or matter of
6 any kind or form which is uncared for, discarded, or abandoned;

7 3. "Owner" means the owner of record as shown by the most
8 current tax rolls of the county treasurer; ~~and~~

9 4. "Cleaning" means the removal of trash from property; and

10 5. "Lienholder of record" means a person holding a lien on a
11 property subject to municipal action as recorded on a deed or title
12 in county records.

13 E. The provisions of this section shall not apply to any
14 property zoned and used for agricultural purposes or to railroad
15 property under the jurisdiction of the Oklahoma Corporation
16 Commission. However, a municipal governing body may cause the
17 removal of weeds or trash from property zoned and used for
18 agricultural purposes pursuant to the provisions of this section but
19 only if such weeds or trash pose a hazard to traffic and are located
20 in, or within ten (10) yards of, the public right-of-way at
21 intersections.

22 SECTION 2. This act shall become effective November 1, 2026.
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